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# Journal

OF THE

Chester and North Wales

Archæological & Historic Society



New Series—Vol. XXII.

Printed and Published for the Society

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1918.

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G. Watmough Webster,]

[Photo, Chester

*Very truly yours*  
*Richard H. Moore*

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(See page 208)



# Journal

OF THE

Chester and North Wales  
Archæological & Historic Society



New Series—Vol. XXII.

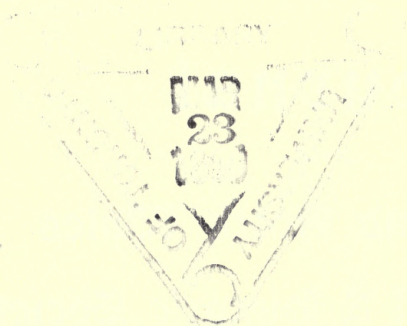
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*This Volume has been edited and indexed by the Rev. F. G. Slater, M.A., Hon. Editorial Secretary.*

# Chester and North Wales Archaeological and Historic Society

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## Table of Contents

	PAGE
A DEED OF TRANSFER OF FAMILY PROPERTY BY RANDLE HOLME III. AND RANDLE HOLME IV. IN 1690 By Henry Taylor, F.S.A. - - - - -	5—11
ON FIVE LETTERS OF HENRY MAYNWARING, OF CHESTER, MERCHANT, TO THOMAS TRAFFORD, ESQ., OF BRIDGE TRAFFORD, CO. CHESTER, 1588-9 By Philip H. Lawson - - -	12—25
KENRICK EDISBURY (SURVEYOR OF THE NAVY, 1632-1638), AND HIS DESCENDANTS; BEING A BRIEF ACCOUNT OF THE FAMILY OF EDISBURY OF MARCHWIEL, CO. DENBIGH By Joseph C. Bridge, M.A., D.Mus., F.S.A., &c. - - - - -	26—54
THE CITY GILDS OF CHESTER: THE BRICKLAYERS' COMPANY By Frank Simpson, F.S.A. - - - - -	55—90
THE EXECUTION OF CRIMINALS IN CHESHIRE By R. Stewart Brown, M.A., F.S.A. (With a short Addendum by Henry Taylor, F.S.A.) - - - - -	91—116
SOME EARLY DEEDS RELATING TO LAND ON THE NORTH SIDE OF EASTGATE STREET, CHESTER By R. Mortimer Montgomery, K.C. - - - - -	117—141
THE ABBEY CHURCH OF SAINT WERBURGH, CHESTER, IN PRE-NORMAN TIMES By George W. Haswell - - -	142—165
CHESTER ARTISTS - - - - -	166—171
MATTHEW HENRY'S CHAPEL By W. W. Tasker - - -	172—196
HATTON HALL By J. H. E. Bennett - - - - -	197—207
OBITUARY (CANON RUPERT H. MORRIS, D.D., F.S.A.) - - -	208—212
REVIEW: COUNTY FOLKLORE - - - - -	213—214
EDITORIAL NOTES - - - - -	214—215
ABSTRACT OF PROCEEDINGS, 1914-15 - - - - -	216—219
ABSTRACT OF PROCEEDINGS, 1915-16 - - - - -	220—225
LIST OF MEMBERS - - - - -	226—231
GENERAL INDEX - - - - -	232—233
INDEX OF NAMES - - - - -	234—244

## List of Illustrations

	PAGE
THE REV. CANON RUPERT H. MORRIS, D.D., F.S.A. <i>Frontispiece</i>	26
KENRICK EDISBURY, SURVEYOR OF THE NAVY, 1632-1638 - - -	50
ERTHIG (ERDDIG)—THE GARDEN FRONT - - - - -	79
ARMS AND CREST OF THE BRICKLAYERS' COMPANY - - -	79
CHESTER CATHEDRAL—THE ABBEY CHURCH OF SAINT WERBURGH (four plates):—	
No. 1, page 147; No. 2, page 148; No. 3, page 159; No. 4, page 160	
MATTHEW HENRY'S CHAPEL:—	
TRINITY STREET FRONT (before restoration) - - -	172
INTERIOR, SHEWING ORIGINAL PULPIT AND COMMUNION TABLE, AND MEMORIAL TABLET - - -	185
INTERIOR, SHEWING MEMORIAL WINDOW - - - - -	185



**A Deed of Transfer of Family Property  
by Randle Holme III. and Randle Holme IV.  
in 1690.**

BY HENRY TAYLOR, F.S.A.

*(Read 8th December, 1914 )*

**T**HROUGH the kindness of our Honorary Treasurer, I am enabled to exhibit this evening an interesting deed relating to the Randle Holme Family. I venture to think any new information relating to that Chester family of Antiquaries, Genealogists and Heralds is always welcome to the members of our Society. Before you inspect it, however, I will read an abstract I have made of it as follows:—

ABSTRACT of a Lease and Release of a  
Messuage and Premises situate on the East  
side of Bridge Street in the City of Chester.

16th June Lease (Bargain and Sale for 5/-) for six months and  
1690. Release dated the 17th June 1690 made between  
2 Wm. & Randle Holme the Elder of the City of Chester  
Mary Herald Painter and Ann his wife and Randle  
17th June Holme the Younger Son and heir apparent of  
1690. the said Randle Holme the Elder and Margaret  
his wife of the one part and Richard Bridge  
of the said City of Chester Dyer of the other  
part

WITNESSETH that in consideration of £100 paid to the said Randle Holme the Elder and Randle Holme the Younger the receipt, &c., the said Randle Holme the Elder and Randle Holme the Younger granted released and confirmed unto the said Richard Bridge and to his heirs and assigns for ever

ALL THAT Messuage and Tenement or Dwellinghouse with the appurtenances situate lying and being within the said City of Chester in a certain Street there called the Bridge Street on the East side of the said Street and next adjoining on the North side to a certain messuage late in the possession of Edward Gregge Gentleman deceased and on the south side to a Messuage late in the possession of John Rort Cutler also deceased and extending from the said street eastwards to the lands late of John Lingley deceased and sometime heretofore in the tenure or occupation of one Ralph Holme deceased and now in the tenure or occupation of the said Richard Bridge party to these presents his assigns or undertenants

With all houses outhouses buildings shopps cellars solars standings Rowes entrys backsides gardens orchards wayes watercourses lights easements profits commodities priviledges advantages and hereditaments whatsoever to the said Messuage Tenement or Dwellinghouse lyeing belonging or in any wise appertaining &c. And the reversion and reversions remainder and remainders

And all the estate &c., together with "all the wainscoat glass and standing goods" belonging to said messuage and all Deeds &c.



TO HOLD unto and to the use of the said  
Richard Bridge his heirs and assigns for  
ever

COVENANTS by the said Randle Holme the  
Elder and Randle Holme the Younger

That they were lawfully seized

Good right to convey

Free from incumbrances by them or by  
Thomas Holme deceased late Great Grand-  
father of the said Randle Holme the Elder

For quiet enjoyment

COVENANT by Randle Holme the Elder and  
Ann his Wife and Randle Holme the Younger  
and Margaret his Wife for further assurance  
within 12 years

EXECUTED by Randle Holme Ann  
Holme (her mark)

Randle Holme Junr

Margt Holme

Sealed and delivered (after the sealing and  
delivery of the bargain and sale within-  
mentioned) in the presence of

Richard Brereton

Samuel Kelsall

Jon. Norbury.

Receipt for the consideration money £100 signed  
by Randle Holme and Randle Holme Junr  
and attested by Richard Brereton and Thomas  
Jackson.

The conveying parties were the third and fourth  
Randle Holme and their respective wives at the time.  
It will be observed that Mrs. Ann Holme, the wife  
of the third Randle Holme, was a markswoman. The  
late Mr. J. P. Earwaker, F.S.A., in his paper on the  
Holme family, in Vol. 4 (N.S.) of our Society's Journal,  
says that she was his third wife, but he is uncertain  
as to her maiden name. It was probably Birkenhead, as

the settlement after the marriage, dated 20th January, 1688-9 (a copy of which is in the British Museum, MS. 2022, f. 128), was made between Randle Holme, of Chester, herald painter, and Thomas Birkenhead, of Chester, gentleman. It was made for the purpose of settling on the wife an annuity arising out of the said Randle Holme's two messuages in Bridge Street. It is possible that the property conveyed by this deed formed part of the premises referred to in that settlement. Ann Holme survived her husband, and was buried at St. Michael's, 26th June, 1713, having had no issue.

Margaret, the wife of the fourth Randle Holme, was a daughter of Griffith Lloyd, of Llanarmon in Vale, co. Denbigh, gentleman, by whom he had an only son, Randle, and four daughters, all of whom died young. Illustrations of the handwriting of the third and fourth Randle Holme will be found with Mr. Earwaker's paper, and when compared with their signatures to the deed will be found similar.

The purchaser, Richard Bridge, married Elizabeth, daughter of Ralph Holme, blacksmith, to whom I shall presently refer.

It will be observed that the house conveyed is described as situate on the east side of Bridge Street, whereas "Lamb Row" and the other property of the Holme family at the corner of Lower Bridge Street and Castle Street were on the west side of Bridge Street. From the fact that in the covenant for title in this deed reference is made to Thomas Holme, I am inclined to think that the conveyed property was the first domicile of the Holme family in Chester, for Mr. Earwaker says "Thomas Holme was a smith by trade, and lived in a house in Bridge Street." He

was the younger son of Richard Holme, of Tranmere, and was the first of the family who settled in Chester about the middle of the reign of Queen Elizabeth.

I think that this house was evidently family entailed property from the father and son joining in as well as their wives who might have a charge upon it either by settlement or dower.

Ralph Holme—mentioned in our deed—was the second son of Thomas Holme, and elder brother of Randle Holme the first. Ralph Holme lived in Chester, and continued his father's trade of a blacksmith. He married Ellen, daughter of Richard Sneyd, of Hope, co. Flint. As previously mentioned, their youngest daughter, Elizabeth, married Richard Bridge, party to our deed. She was baptized at St. Michael's, 6th September, 1615.

I am sorry that at present I am unable to describe with accuracy whereabouts on the east side of Bridge Street the house and premises conveyed by our deed stood. In those days there were no plans endorsed on deeds. Judging from the fact that the Holme family and that of Bridge at this period were baptized and buried at St. Michael's Church, I am inclined to think that they lived in that parish. Now St. Michael's Parish, in Bridge Street East, begins at the north end of the Duke of Westminster's property, Allen Buildings, and extends southerly to Hawarden Castle Entry, or the site of the old Albion Hotel, in Lower Bridge Street; but I suggest that the house mentioned in our deed was probably situate in that portion which lies between Allen Buildings and St. Michael's Church, as in the general words in the parcels of our deed we find "Shoppes Cellars Solars Standings and Rows" mentioned. It is true that formerly to some of the

houses on the east side of Lower Bridge Street there were "Rowes," but they did not form a continuous Row as in the case of Bridge Street.

As to the purchaser, I find the name of Richard Bridge, dyer, as a freeman of the city in 1612-3. He was Sheriff of the City in 1621. Then another Richard Bridge, dyer, was a freeman in 1646. I suggest that the latter was the son of the Sheriff, and the purchaser mentioned in our deed. On the 27th September, 1652, I find "John, son of Richard Bridge, dyer," admitted a freeman. The purchaser's eldest son was named John, as I shall presently show from his being named in the purchaser's will. Again, 27th September, 1693-4, we have the same entry on the Chester Freeman's Roll.

Richard Bridge, dyer, was buried at St. Michael's, 31st May, 1697. His will, dated 19th February, 1695, was proved at Chester, 27th April, 1698, by his Executors, John Bridge, his eldest son, and Timothy Deane. He had property at Churton, Aldford, Codrington, and elsewhere in Cheshire, besides land and houses in Handbridge and various other parts of the City. The special devise which interests us is as follows :—

Also I give and devise all that my messuage stabling and other buildings thereto belonging with ye Sellar and Shoppes and garden and orchards and appurtenances situate lying and being in ye Bridge Street in ye City of Chester on the East side of ye said Street which I lately purchased from Randle Holme the Elder and Randle Holme the Younger with all the wainscott glass and standing goods thereto belonging to my youngest son William his heirs and assigns for ever

but the son William was not to have possession until he had served his apprenticeship. This he did, as



I find that on the 5th January, 1701-2, William, son of Richard Bridge, of Chester, dyer, defunct, and prentice of Timothy Deane, of Chester, iron-monger, took up his freedom. Richard Bridge, at the time he made his will, does not appear to have lived in this house bought from the Randle Holmes, as he devises "the house that I now inhabit or dwell in with the appurtenances lying in the City of Chester to my said son John" subject to a charge of £40 in favour of his seven grandchildren, four of whom bore the surname of Witter, and three that of Moulson. As the testator in his will made no reference to his wife I presume he was a widower.





On five Letters of Henry Maynwaring, of  
Chester, Merchant, to Thomas Trafford, Esq.,  
of Bridge Trafford, co. Chester, 1588=9.

By PHILIP H. LAWSON.

(Read 8th December, 1914.)



THROUGH the kindness of Mr. Henry Taylor, F.S.A., I have had an opportunity of transcribing these letters, and am now able to exhibit and describe them. They are of exceptional interest, not only on account of their early date, but also as referring to the disputed ownership of ground rents issuing out of a house and land in Chester, then in the occupation of the writer, but formerly part of the possessions of the Fraternity of St. George. There is hardly anything in print concerning this Order, and without special research very little can be said of it. In 1556 annuities<sup>1</sup> were being paid to priests who had officiated in St. George's Chapel in St. Peter's Church<sup>2</sup> prior to the Suppression; and a rental of their possessions, taken in 1622, is extant.<sup>3</sup>

Unfortunately the letters contain no indication of the precise situation of the land in question. The house and land may have been that which Henry Maynwaring

<sup>1</sup> Ormerod's *Cheshire*, 2nd Edit., Vol. I., page 354.

<sup>2</sup> *Harl. MS.* 2150, fol. 248a.

<sup>3</sup> Ormerod quoting *Harl. MS.* 2159, fol. 110.

occupied at the time of his death, described in his will, to which I shall refer later, as situate in Watergate Street, near St. Peter's Church.

The land appears to have belonged to the Traffords of Bridge Trafford, co. Chester, in the time of Edward III., and subsequently to have been held by or under the Fraternity subject to rent charges of 33s. 4d. to the Traffords, and 6s. to one Raufe Wryne<sup>4</sup> and his heirs, the right to the latter rent being vested in John Vavasour, Esq.,<sup>5</sup> of Haselwood, co. York, at the time of the dispute. The estate of the Fraternity in the land passed after the Suppression to the Bavands, of Chester, and it was most probably Richard Bavand,<sup>6</sup> alderman and justice of the peace, second son of Thomas Bavand,<sup>7</sup> alderman, who, on succeeding his elder brother, Thomas Bavand, formed the opinion that he was entitled to the whole of the rent of 40s., namely, the 39s. 4d. always paid to the heirs of Trafford and Wryne and the 8d. theretofore alone paid to St. George and his successors. In 1589 Mr. Bavand instituted a suit against Maynwarling, at the Portmote, for the recovery of the land, but if the property was identical with that entailed by Maynwarling in his will, he can hardly have been successful. The Bavands evidently continued troublesome however, for, forty years later, in 1629, William Trafford, Esq., of Bridge Trafford, the son of the recipient of the letters, brought an action in the Court

<sup>4</sup> Recorder of Chester and Clerk of the Pentice, 1540.

<sup>5</sup> Son of Sir William Vavasour, Knt. See Foster's *Yorkshire Pedigrees*.

<sup>6</sup> Died 20th Aug., 1603. *Funeral Certificate*, Record Society, Vol. VI., pedigree in *Visit. Chesh.* 1613, *ibid.* Vol. LVIII., and *Visit. Chester* 1591, Harl. Soc., Vol. XCIII.

<sup>7</sup> "Mr. Tho. Bavand was buried the 19 daye of October," 1564—*St. Peter's Reg.*

of Wards against Thomas Bavand,<sup>8</sup> gent., when these letters and rent receipts were produced, as appears by an endorsement on each.

It is clear from the rent receipts preserved with the letters that the Maynwarings held the house and land for at least forty years prior to 1588, when the dispute arose. They descended<sup>9</sup> from Nicholas Maynwaring, of Nantwich, an illegitimate son of [?Sir John] Maynwaring, of Peover, co. Chester. Nicholas Maynwaring had issue besides Humphrey Maynwaring, ancestor of a Nantwich family of that name, an elder son, Thomas Maynwaring, of Chester, who had two sons, Thomas, who died without issue, and Randle.

Randle Maynwaring, of Chester, alderman, the younger son and heir to his brother, became free of the city as draper 13 Aug., 1528, served the office of sheriff in 1533, and was with John Walley, a Seneschal of the Guild of St. George at Chester, 33 Henry VIII., 1541.<sup>10</sup> He represented the city in Edward VI.'s second Parliament at Westminster, which sat from 1 March, 1552-3, to 31 March, 1553, when it was dissolved, being returned together with Richard Sneyd, gent., recorder, 23 Jan., 1552-3. In 1564, Bishop Downham reported him as an alderman (not a justice) not favourable to the new establishment of religion.<sup>11</sup> He occupied the premises afterwards in dispute, the receipts extant for 1549 and 1561 being

<sup>8</sup> Doubtless the son of that name of John Bavand, of Newton, eldest surviving son of Ald. Richard Bavand. The Will of Thomas Bavand, of Chester, esquire, was proved in the Consistory Court in 1644.

<sup>9</sup> *Visit. Chesh.* 1580, Harl. Soc., Vol. XCIII.

<sup>10</sup> Canon Morris's *Chester in the Plantagenet Period*, p. 339n. This Guild must be distinguished from the dissolved religious body. It appears to have been a society for the practice of shooting.

<sup>11</sup> *Cheshire Sheaf*, 3rd Ser., Vol. VII., p. 98.



in his favour, and died in 1567. The burial entry at St. Peter's, Chester, reads:

Mr Rondell Manweringe was buried the 10 of Aprill.

The third receipt extant dated 20 March, 1576-7, credits Margaret, his widow, who survived him the space of eleven years, with having paid the rent. She was buried at St. Peter's in 1578.

M<sup>rs</sup> Margaret Manwaring buried the 26 of Aprill.

Henry Maynwarding, of the City of Chester, merchant, the son of Alderman Randle Maynwarding, and writer of the letters, was evidently a man of some substance, and of more than average ability, the character and excellent handwriting of the letters testifying to a good education. He obtained the freedom of the city as draper in the year 1557-8, and married, first, Ann,<sup>12</sup> daughter of Edward Dodd, of Boughton, co. Chester, gent., by whom he had issue—<sup>13</sup>

I. Randle, recorded at the 1580 Visitation, who apparently died young.

II. Henry Maynwarding, heir to his father, whom he survived, having had issue by his wife Elizabeth, daughter to — Skipwith, of "Herfordshire," two children, Thomas and Elizabeth.

III. Daniel Maynwarding, living 1610.

1. Mary, living 1610.

2. Ellen, presumably living 1610, but not mentioned in her father's will.

He married, secondly,<sup>13</sup> Cicely, daughter of Foulk Dutton, of Chester, alderman and justice of the peace,

<sup>12</sup> If not the *Anne Manwaringe* buried at St. Peter's, 16 Dec., 1582, she probably died between 1596 and 1607, during which period the registers are missing.

<sup>13</sup> *Funeral Certificate* of Henry Maynwarding, gent., 1610; *Record Society*, Vol. VI., p. 138.

relict, first, of Morris Williams,<sup>14</sup> of Chester, alderman, and secondly, of Edward Thomason, of Chester, merchant, but had no issue by her. She survived her husband seven years, and died 21 August, 1617,<sup>15</sup> leaving issue by her first husband only. Her burial entry at St. Peter's reads :

Mrs Manwaring wief to Henry Manwaring was buried the 6th of September, 1617.

Her will was proved at Chester in the same year.

Henry Maynwaring had property in Nantwich, including "twoe howses lyinge togeather in the Beamestreete<sup>16</sup> the one called Cheynye Halle wherein Mr. Edwards the surgeon dwelte," but this he sold to his kinsman, Roger Mainwaring, of Nantwich, gent. He occurs as one of the signatories to the letter of William Cotgreve, mayor, concerning one Peter Proby and the clerkship to the Pentice, under date 31 July, 1590.<sup>17</sup>

According to his Funeral Certificate, in which he is described as "gentleman," he died 6 May, 1610, and was buried at St. Peter's. Unfortunately there are no burial entries in the Church registers from 1610 to 1616 inclusive.

The following is an abstract of his will at the District Probate Registry, Chester :—

IN THE NAME OF GOD, AMEN. I, Henry Mannering, of the Citty of Chester, marchant, aged wthall and sicke and weake in bodie....5 May 1610. to bee interred in the parish church of St. Petter in Chester at the discretion

<sup>14</sup> "Mr. Moris Williams buried the 4 of January," 1573—*St. Peter's Reg.*

<sup>15</sup> *Funeral Certificate* of "Mrs. Sysely Manwaring, vid.," Record Society, Vol. VI., p. 138.

<sup>16</sup> "p'cell of the lands purchased of my cosen Henrye Manwaringe of Chester"—Will of Roger Mainwaring, proved at Chester 1 May, 1590.—*Cheshire Sheaf* Vol. II., p. 25.

<sup>17</sup> *Ibid.*, 3rd Ser., Vol. IX., p. 85.

of Cicelie my wyef whom I appointe sole executrix . . . . the message wherein I doe inhabitt and dwell situate in the Wattergatte Street in the said citty neare unto the said church wthall backsides gardens lands &c. unto the said Cicelie my wyef for her natural lyef and after her decease unto Henry Mannering my eldest sonne and the heires of his body [in tail male] and for want of such issue unto Danyell Mannering my younger sonne and the heires of his body [in tail male] and for default to my own right heires.

My message or tenement in Geldon Sutton co. Chester now or late in the tenure of John Dutton together with all landes adjoining in the occupation of Robert Stanford, clarke, all my estate and tearme therein, to my wyef [sons and right heirs, as before]. Immediately after the expiration of occupation of Stanford my executrix to pay to my daughter Mary Mannering <sup>iii</sup>j<sup>li</sup> yearly until <sup>xx</sup> be paid and also to my cozen Margrett flynt<sup>18</sup> <sup>xl</sup> yearly so long as she shall dwell within the citty. If she marry to the liking of my wyef she and her husband to have their maintenance with my wyef. unto my servant Margrett Williams <sup>xxvj</sup> <sup>vij</sup>d yearly and maintenance with my wyef unto my sonne Henry all the waynscott, glasse, cubboards, tables, frames and bedsteeds in my house my wyef to have the use of them during her lyef. Residue to wyef. I desire my wor<sup>li</sup> and very good friends<sup>19</sup> Richard Breereton of Eccleston said co. Esq., William Aldersey the elder and Edward Dutton of the Citty of Chester aldermen to be overseers.

Witnesses: William Aldersey, Edward Dutton, John Morgell, Thomas Dalbie.

<sup>18</sup> His wife's granddaughter.

<sup>19</sup> All nephews of Cicely his wife. William Aldersey *the elder* was of the Picton family, so designated to distinguish him from his younger namesake and brother alderman of the Middle Aldersey branch. Funeral Certificates of the first two overseers are extant, and pedigrees of all three are recorded at the 1613 Visitation.—Record Society, Vols. VI. and LVIII.

The original will is missing, only a copy remaining. A long inventory of his goods, appraised by Richard Wright, Randall Ince, Thomas Syere and Richard Sneade, 21 May, 1610, and amounting to xlix<sup>ii</sup> xiijs<sup>i</sup> ij<sup>d</sup>, accompanies the will.

The usual items occur, including pewter, linen, one musket with furniture, one rapyer and a Scotch dagger with skeyne, one byble, xxtie other bookes, & xvien small bookes, and mapps. The following rooms are mentioned: the Hall, Kitchen, Parlor in the Court, Butterie, Street Chamber, Chamber over the Hall, Chamber over the Buttrie, Chamber over the Parlour, Corne Chamber, and Court. The following items appear to have been added at the Registry:—

Item. two kyne of the deceadents wch went for  
herritts valued unto .....iiij<sup>ii</sup> xiijs<sup>i</sup> iiij<sup>d</sup>

Item. A messuage or tenement in Gelden Sutton  
with appurtenances thereunto belonging for cer-  
taine yeares unexpired and also for xxj yeares in  
rev'con, valued unto ..... [No amount shewn]

Probate was granted in the Consistory Court at Chester 4 June, 1610, to Cicely, his widow, the sole executrix.

No Arms are assigned to Henry Maynwaring in his Funeral Certificate, but the 1580 Visitation gives the Chester and Nantwich families the heraldic bearings of Mainwaring of Peover differenced apparently for the bastardy of their common ancestor, Nicholas Mainwaring. These are: Arms, *Argent, two bars gules within a bordure goboné or and sable*; Crest, *An ass's head proper, erased, maned, and haltered or*.

The receipts, which are written on single sheets, and the letters on double foolscap sheets (folio), are here printed with the contractions extended.



## I. RECEIPT, dated 11 Nov., 2 Edw. VI., 1549:—

Memorandum that I Thomas Trafford of bridge Trafford have receyved of Randull Maynwaring of Chester draper by the hand of Uter Johnson xvj<sup>s</sup> viij<sup>d</sup> due unto me the said Thomas for the ffe rente dew at Mychaellmas last past for the half yeare the which xvj<sup>s</sup> viij<sup>d</sup> if the said Rondull cannott be alowde be the Kings offesers of his warte of Augmentasyon then do grannte & bynde myself my heires and assignes to Repaye the said xvj<sup>s</sup> viij<sup>d</sup> unto the said Rondull or his assignes at any tyme heareafter. Wrytten the xj<sup>th</sup> daie of November in the secunnde yeare of the Raigne of our soveraigne lord Kinge Edwarde the sixte.

Ex. per me Tho: Case.<sup>20</sup>

## II. RECEIPT dated 2 Oct., 3 Eliz., 1561:—

This bill of Accquittance made the seconnde Daie of October Anno regni regine Elizabeth &c tertio wyttnesseeth that I Roger Royden of burton in the countie of Denbighe gent. have had and receyved the daie of the date hereof of Rondell Maynwaringe of Chester the some of xxxiiij<sup>s</sup> iiij<sup>d</sup> of Annuell rent reserved of the lands he holdeth of my cosine Trafford and due at the feast of Saint Michaell the archangell last past of which said somme of xxxiiij<sup>s</sup> iiij<sup>d</sup> I doe acknolledge myself to be well & trulie contented and paid and the said Rondell Maynwaringe thereof acquitted and discharged by this present. In wyttness whereof I have sett my seale<sup>21</sup> yeven the Daie & yeare above said

per me ROGER ROYDEN.

Ex. per me Tho: Case.<sup>20</sup>

## III. RECEIPT dated 20 March, 1576-7:—

Receyved the xx<sup>th</sup> Daie of Marche 1576 of Margarett Maynwaringe widdowe the Some of xxxiiij<sup>s</sup> iiij<sup>d</sup> due to the Quenes Majestie for one hole yeares rent ended at Martynmas last past for A howse in the holdinge of the

<sup>20</sup> Probably appended when the suit was brought in the Portmote Thomas Case was an Attorney in the Exchequer at Chester, and died in 1634. See his *Funeral Certificate*, Record Society, Vol. VI.

<sup>21</sup> Seal, if any, gone.

said Margaret of thenheritance of Thomas Trafford her Majesties warde.

per me RICM HURLESTON SENR

Ex. per me Tho. Case.<sup>20</sup>

IV. 5 March, 1588-9. LETTER of this date addressed:—

To the worshipfull M<sup>r</sup> Thomas Traford Utter barester in the Inner temple this be delivered.

Worshipfull, your letter I Reseived this morning wherin you thincke that I am bound by my fefarme to paye you. The truthe is I hould from St. gorge & his successors the whiche is M<sup>r</sup> bavand, paying 40s. per yeare, and because ther wentt out to your anncitors & nowe to you 33s. 4d. yearlye & to the heyres of Rauf wryne 6s. yearlye so ther remeyned no more but 8d. per yeare [? &] the bochers shoppes in the strette to St. gorge & his successors; and M<sup>r</sup> bavands ancitors receving but 40s. & paying out 39s. 4[d] was contentt that my anncitors shuld paye the chef rentt<sup>22</sup> & paye the other 8d. the whiche hathe bene trulye payd to all parties, tell nowe that M<sup>r</sup> bavand upon the coming to the lands & upon vewe of his writtings dothe thinck yt ther is no rent Dewe nether to your Worship nor to the heyres of wryne, and because M<sup>r</sup> bavand is nowe in London and dothe lye at our M<sup>r</sup> Cletons in St. Lorange Lanne I thought it good to serteffye you therof that if it please you to talke with hym for his better instruction I doe not Doute but you shall find hym resonable, and this withe my hartye commendacions I committ you to god. Chester the 5 of Marche, 1588.

Yours in what he maye

HENRY MAYNWARING.

V. 25 June, 1589. LETTER of this date addressed:—

To the Worshipfull M<sup>r</sup> Thomas Traford in the Inner temple this be delivered withe spede.

<sup>22</sup> This is rather ambiguous. He probably means that Bavand's ancestors allowed the 39s. 4d. to be paid direct (as was done in the case of Trafford's portion at all events), and received only 8d. themselves.

Worshipfull, this is to serteffye you that ester evening at the laste Instantt of the daye M<sup>r</sup> Bavand did over to me to make demannd for his rentt upon the lande. I did aske of hym howe muche, he sayd lxxx<sup>li</sup> accounting from the iiij<sup>th</sup> yeare of Kinge Edwarde the vjte. I tould hym howe I and my ansiters had payd to you & your anseters & to the heyeres of M<sup>r</sup> Wrine 39s. 4d. & the rest to his ansitors, being 8d. he sayd to me ageyne because I had not payd his ansitors he was to hold the same or the land & sayd fether that you nor the heyres of M<sup>r</sup> Wryne had no right to Reseive any rentt of that land. I tould hym you had. Upon the same he wold have entared but I did withstand hym & so he meanes to comens his shutte, I knowe not howe sone. I wold wishe you, bothe for your owne titell & my paymentts, to let it appere that of right the same rentt is dewe to you, & that we maye so Deale that he have not his will. I could inlarge more but I hope you wilbe downe shortlye bothe to preserve your owne titell as also my fee farme. I marvell that you did not talke withe M<sup>r</sup> Bavand at your being at London and as you promised me. this hoping to see you shortlye or to here from you effectuallye I committe you to god withe my hartye commendacions.

Chester the 25 June 1589.

Your Worshippes to commandd

HENRY MAYNWARING.

VI. 23 July, 1589. LETTER of this date addressed :—

To the Worshipfull and his verye good frend M<sup>r</sup> thomas Trafford esquire in the Inner Temple this be Delevered.

Worshipfull. Your letter of the 12 of these presents I Reseived the 19 of the same & according to your requeste I have Inquired for M<sup>r</sup> Vavesare,<sup>23</sup> his name is John Vavesare an esquire of greate wor<sup>24</sup> his house is

<sup>23</sup> The heir of Rauf Wryne.

<sup>24</sup> Worship or worth,



called haselworthe<sup>25</sup> aboutt 7 mills from Yorke, and I thincke your advise to be good to Joyne to gether. As yet M<sup>r</sup> Bavand hathe comensed no sutte ageynste me but I loke for it everye daye, for he gevethe out greate words touching your titels and myne, he saythe that my fee farme is not onelye forfeited in paying of M<sup>r</sup> Vavesere & you but also because it is not exemplified under the greate seale & that 2 statuts make withe hym ageynste me touching the same, this he Declared to a secrett frend of his. if it wold plesse you to serteffye me whether ther be any suche matter or no you might plesure me & what I can doe to plesure you you shall be sure of, for he is gredye of lande. this hoping to here from you shortlye I ende withe hartye commendacions wishing to you as to myself. Chester the 23 July 1589.

Yours wherin he maye

HENRY MAYNWARING.

At the Kings vesitors being here after the sopression of St. gorge my fefarme was then entared as dothe appere, the whiche (peradventure) M<sup>r</sup> Bavand knoweth not of.

VII. 6 November, 1589. LETTER of this date addressed:—

To the Worshipfull Thomas Traford esquire in the Inner Temple this be Delevered withe Spede

Worshipfull. I have had some talke withe M<sup>r</sup> Bavand and I perseve by hym that if you be able to shoue that St. gorge did hould the house from your anciters payinge unto them & their heyres the rentt Reserved that then I here he will make no further matter therein but that you maye Injoye your rentt quietlye therfore if you be able to shoue any suche conveyance that St. gorge hathe no right therin but from your anciters I pray you so serteffye me that I maye make the same knowne to M<sup>r</sup> Bavand that quietnes maye be among frends. this expecting Your answeere withe as convenientt spede as you maye I ende withe hartye

<sup>25</sup> Haselwood,

commendations wishing to you as to myself. Chester the 6 November 1589.

Your frend to usse

HENRY MAYNWARING.

VIII. 16 January, 1589-90. LETTER of this date addressed:—

To the Worshipfull M<sup>r</sup> Thomas Traford esquire in the Inner Temple withe Spede

Worshipfull. Your letter of the 16 of Desember I Reseived the 10 of these presents<sup>26</sup> wherin you doe not answere my letter to that effecte as I loked for. I pray you peruse the same as also your writtings, for M<sup>r</sup> Bavand hathe begonne the shutte ageynst me at the puortmote upon Mondaye last & dothe make full accoumpte to recovere the land of me, & if I los it for paying you rentt I thincke it strange as I sayd in my other letter so I saye nowe if you wold freyne upon M<sup>r</sup> bavand then could I be a good witnis for you, for I have an ould del'.<sup>27</sup> made in Edward the 3 his dayes that dothe meyre my house that I dwell in to trafords land, and for forther matter I refare to this good berare M<sup>r</sup> hughe hurlstone,<sup>28</sup> and this withe my hartye commendations I committe you to god, hoping to here from you withe spede. Chester the 16 January 1589.

Yours to his power

HENRY MAYNWARING.

Your belye<sup>29</sup> tould me if you be unpaid a twelfmonthe & a daye that then the land is forfeite to you. I pray god it be so & you & I shall agree like frends.

M.

IX. ENDORSEMENT on each document:—

Shewed to witnesses this 12th of August 1629 examined in a cause dependinge in His Majesty's

<sup>26</sup> Note the length of time in transit by the posts in this Letter and No. VI.

<sup>27</sup> Query—*delivery*.

<sup>28</sup> Possibly brother of Richard Hurleston, of Hurleston, co. Lancs., and Picton, co. Ches., buried at Plemstall, 1589, who may have given the third Receipt.—*Visit. Chesh.* 1580 and 1613,

<sup>29</sup> bailiff.

Court of Wards, betweene William Trafford Esquire  
relator uppon Information of Sir Walter Pye, Knight,  
Attorney of the sayd Court, ageynst Thomas Bavand,  
gentleman, defendant.

Willm. Brocke

Thomas Meoles

Willm Colly.

The letters have been folded and sealed, the seal bearing, with other illegible emblematic symbols, the initials "H.M." in Roman capitals.

I will conclude with a brief reference to the Traffords,<sup>30</sup> and to their contemporary representative to whom these letters were addressed. They held the manor of Bridge Trafford and lands in Chester, under the Crown, and hence were subject to the jurisdiction of the Court of Wards and Liveries after the institution of that Court in 1540. It is interesting to note that a number of rent charges issuing out of lands in Chester are included in the findings of the jurors at the different *Inquisitions* of members of the family, and doubtless the Maynwaring rent is included in the number. By an *Inq. per comm. de melius inquirend.*, 4 Eliz. [1561-2] Thomas Trafford, gent., who died 20 May, 7 Edw. VI., 1553 (and acknowledged the payment in 1549), was found to have held, in addition to lands in Bridge Trafford, 10 messuages, 4 shops, and lands in Chester from the Queen by military service, of the value of 26s. 8d. Thomas Trafford, his son and heir, was then aged 11 years, and being a minor, his "cosine," Roger Roydon, who may have been a guardian or bailiff, acknowledged the rent in the same year. This gentle-

<sup>30</sup> For authorities for the following statements and a further account, see Ormerod's *Cheshire*, 2nd Edit., Vol. II., pp. 43—46, and *Lanc. and Chesh. Records*, pp. 184 and 186.

man, afterwards an Utter Barrister of the Inner Temple, was he to whom Henry Maynwarding addressed his letters. He was born *circa* 1550-1, married *circa* 1574 Alice, daughter of William Massey, of Puddington, by whom he had issue, and was buried at Plemstall, 26 Jan., 1625-6. His will is at Chester. By *Inq. post mortem*, 17 Oct., 1627, it was found that he died 23 Jan., 1625-6, seized of the manor of Bridge Trafford and a rent service of £3 5s. 4d. issuing out of 11 messuages and 4 shops in Chester. William Trafford, his son and heir, was aged 52 years. Two years later William Trafford instituted the proceedings in the Court of Wards against Thomas Bavand, but I have not yet ascertained the result of this Action.







**Kenrick Edisbury (Surveyor of the Navy,  
1632=1638), and his descendants; being a brief  
account of the family of Edisbury of Marchwiel,  
co. Denbigh.**

BY JOSEPH C. BRIDGE,  
M.A., D. Mus., Oxon et Dunelm, F.S.A., F.R.C.O.,  
Organist of Chester Cathedral,  
Professor of Music in the University of Durham.

(Read January 19th, 1915.)

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THE name of Kenrick Edisbury will be sought for in vain in the pages of the *Dictionary of National Biography* and other similar compilations, and naval books rarely mention him. Yet he held high office in the State, and performed his duties with conspicuous zeal and ability, a qualification greatly lacking in the naval administrators of the 17th century, with the notable exception of Samuel Pepys.

His grandson built a mansion in North Wales, which is now of great historic interest,<sup>1</sup> and other descendants have shared in episodes which were romantic and curious.

I think, therefore, that a brief memoir of this family will be acceptable, not only to members of this Society, but to all those who take an interest in the history of the Royal Navy.

<sup>1</sup> See *Chronicles of Erthig on the Dyke*, by Mrs. Wherry.



*W. Coles Finch, Photo.*

Kenrick Edisbury,  
Surveyor of the Navy, 1632-1638.

(From the bust in Chatham Church.)



## PART I.

## KENRICK EDISBURY.



EDISBURY (spelt so) is the name of a Hundred and Parliamentary Division in the central portion of Cheshire, which formed part of the great forest of Delamere.

The word is of Saxon origin, and the *vill* is mentioned in Domesday. It would be in accordance with custom that so large and important a tract of land should, in time, give its name to a family;<sup>2</sup> but, strange to say, no such name appears in any known Charter or MS. relating to Cheshire, and nothing whatever appears to be known of the Edisbury family until the beginning of the 16th century. But we find the origin of this family in a statement by John Salisbury de Erbystoke,<sup>3</sup> who wrote a genealogy of the Edisburys in 1676. He says:—

“Wilkin de Edisbury gent. had a sonne that was called by the sirname of Wilkinson, whose posterity continued the same for some generations, and then they reassumed the first sirname of Edisbury as follows. But how many descendants passed between Wilkin de Edisbury and the following William Edisbury I find not. William Edisbury *alias* Wilkinson purchased lands in Stryt-yr-Hwch in the parish of Marchwiel and married [blank]”<sup>4</sup>

He then gives the children as follows:—

“I. William Edisbury of Marchwiel, eldest son of William Edisbury, married Jane, the daughter of Sently or Sontley.”<sup>5</sup>

<sup>2</sup> Camden says that “Edisbury Hill gave the name to an ancient family,” but he evidently based this simply on information supplied by Kenrick Edisbury, to whom he gave a grant of arms.

<sup>3</sup> MS. in possession of J. F. Edisbury, Esq., J.P., of Wrexham, to whom I am indebted for valuable information.

<sup>4</sup> We know it was Anne Crowfoot. See *post*, p. 28.

<sup>5</sup> The Home Farm or old Manor House at Erddig, which gave its name to a family. We shall meet with this place later.



II. Robert Edisbury of Marchwiél *alias* Stryt-yr-Hwch, gent., married Jane, daughter of Kendrick ap Robert of Marchwiél Hall, gent., etc., descended from Llewelyn ap Madocke Voel of Marchwiél, who bore for his coate armour Ermin a Lyon Rampt. and a plain border azure.

III. James Edisbury *alias* Wilkinson.

IV. Elizabeth Edisbury *alias* Wilkinson."

From this we see the derivation of the surname is simple. We have first:—

Wilkin, *of* Edisbury, then

Wilkin, *son of* Edisbury, then

Wilkinson, *alias* Edisbury, and finally

Wilkinson Edisbury.

What brought the family to Marchwiél we do not know. The "William" first mentioned in Salisbury's list is given by other writers as "Richard."<sup>6</sup> He married Anne Crowfoot (whose second husband was James Calveley, of Chester), and he purchased lands at Bedwal and Stryt-yr-Hwch, in the parish of Marchwiél, in the middle of the 16th century. Their second son, Robert Wilkinson *alias* Edisbury, succeeded to these estates, and he must have been comfortably off. He married Jane, daughter of Kenrick ap Robert ap Howel, of Marchwiél. He seems to have lived the life of a country gentleman at Marchwiél, but died and was buried at Chatham in 1610.<sup>7</sup> He is called on his memorial tablet "Robert Wilkinson Edisbury."

Their son, Kenrick,<sup>8</sup>—the subject of this memoir—

<sup>6</sup> Palmer, in his *County Townships of Wrexham*, gives Richard Wilkinson=Anne Crowfoot. Drake, in his *Hasted's History of Kent*, gives Richard Wilkinson, b. at Edisbury (whence family name)=Anne C. Mrs. Wherry, in *Chronicles of Erthig* (p. 9) quotes a deed of 1544 with the name of "Richard Edisbury of Bedwal, co. Denbigh."

<sup>7</sup> See *post*, p. 33.

<sup>8</sup> Kenrick = Welsh "Cynwrig"—a baptismal name frequently used in Powys Land. He was named after his maternal grandfather, Cynwrig ap Robert ap Howel, of Marchwiél.

succeeded to his father's estates, and to this property he constantly added during the next twenty years. He bought neighbouring lands from his mother's cousin, Robert Powell, of St. Andrew's, Holborn, in 1613; also from John Hope in 1638, Citizen and Armourer of London; also from William Lancelot in 1627, Citizen and Mercer of London. All these were doubtless Welshmen who had migrated to London from the neighbourhood of Wrexham. In 1630 he bought from the LLoyds of Ruabon their estate of Pentre-clawdd, and in 1634 actually acquired the toll and tallage of the town of Wrexham and the King's Mill there. He also purchased for his second son, Richard, another large property of several hundred acres.<sup>9</sup>

We must now go back to his public career. As a young man he elected to enter the civil side of the Naval Service, and we find him at Deptford Dockyard in 1625. He must have been there some time,<sup>10</sup> as he writes to Secretary Nicholas urging "his long suit for the reversion of Mr. Fleming's place." In January, 1626, we find him explaining to Secretary Nicholas the history and succession of the officers termed "Masters Attendant upon the Commissioners of the Navy," and in December, 1626, he appears as Paymaster of the Navy, and, in company with other officials, is summoned by messenger to repair to the Star Chamber to answer before the Special Commissioners for inquiry into the state of the Navy.

Now a good many people are accustomed to think that the Navy was in a worse state in the time of Pepys

<sup>9</sup> I take this information from Palmer's valuable *History of County Townships of the old Parish of Wrexham*, p. 225, one of the few books that give particulars of the Edisbury family.

<sup>10</sup> We know that he was there in 1608, when his eldest son was born.

and under Charles II. than at any other period. But it was not so. It always seems to have been disgracefully managed, and it certainly was in a chaotic condition during the whole of the 17th century. In 1628, Coke, the Secretary of State,<sup>11</sup> was sent to Portsmouth on special service to regulate and improve affairs there. He disliked the task immensely, and on June 4 he writes and complains of the "charge laid on him and of dealing with men that neither know law or order," and further he objects to the indignity of a King's Secretary being made a clerk and accomptant to the officers of the Navy, and begs for a warrant appointing Mr. Edisbury to be Deputy Treasurer.<sup>12</sup> Again, on June 21, he writes of the unreasonable demands of pursers, boatswains, etc., ". . . that he is forced to hire the surgeon of the garrison to look after sick men on shore, though the surgeons of the ships haunt the taverns all day. As to complaints as to supply of victuals—beer sent to the *Garland* and refused as stinking, on examination found very good and wholesome, and much better than any on the Admiral's table. Again begs to be recalled."

So Edisbury was sent to help him at Portsmouth, and on Nov. 14 the former writes:—

"The Captains and pursers are studying to spin time to let their pay run on, and labour to disable the repairing of their ships there."

a little later he had an attack of ague, and asks

"Licence to return as soon as the paying-off is done."

Like Coke, he evidently was not enamoured of his

<sup>11</sup> Sir John Coke, 1563-1644. Fellow of Trinity College, Cambridge, Deputy Treasurer of the Navy 1591, Commissioner of the Navy 1621-36. He held various other offices. Hannay, in *The Royal Navy* Vol. I., p. 157, says he was "a model public servant, though a somewhat mean-spirited man."

<sup>12</sup> Where no other reference is given, the quotations are from the *Calendar of State Papers, Domestic Series*, under the years mentioned.

office, and saw clearly the great defects and glaring abuses of the Dockyard system. As early as 1627 he complained of

"Everyone almost being director of his own work, for want of some able understanding man to regulate the inferiors, as it was while the Commissioners had the government."

But the Navy Board were not long in making up their minds that *he* was the "able understanding man," and in January, 1629, formally appointed him "Assistant to the Officers of the Navy, to assist in all manner of payments to mariners, and to keep books for the Commissioners," etc.

Edisbury now commenced a busy life in going to the various Dockyards, and in May, 1629, he writes from Chatham to say that he "had discerned much improvidence," and asserts that "170 extraordinary workmen can be reduced to 85." But this reforming zeal was not to everyone's liking, and in May, 1630, he writes and recommends Edward Lockier as cook of the *Victory*, because "he had almost lost his life by a malicious stab from a surgeon," which was intended for Edisbury himself. This happened at Deptford. At the same Dockyard Henry Goddard, the builder of the *Henrietta Maria*, in 1632, complains to Secretary Coke of want of timber to proceed with the ship;

"That he has been catechized by Sir Kenelm Digby and Captain Pett, at the instance of Kenrick Edisbury, and his son and foreman have been ill-treated. However, he will continue his work and not say, as Andrew Burrell did, that he would as soon build a ship in hell as in Deptford yard."

Edisbury's energy and zeal received due reward, for on December 17, 1632, he was appointed to the office of Surveyor of the Navy, and he was, in this office, the immediate predecessor of Sir William Batten,



the coadjutor of Pepys.<sup>13</sup> His emoluments were:—Forty pounds per annum as salary, eightpence per day for a clerk, four shillings per day as travelling expenses, and eight pounds per annum for coach hire.

Edisbury was not the sort of man to be “bluffed” by shipbuilders like Henry Goddard, for he was a keen observer<sup>14</sup> of the way in which ships were carelessly designed or more carelessly built, and writes to Nicholas in 1633:—

“I never yet knew any ship built by day-work but the shipwrights have made them of greater burden than the warrants mentioned, as you may discern by this new ship, which I am persuaded will prove 200 tons greater than she was appointed.” In January, 1638, in conjunction with other officers, he was made a Justice of the Peace for Kent and other counties.

He died in August, 1638, at his temporary official residence at the Hill House, at Chatham, and was buried at St. Mary’s Church,<sup>15</sup> which has always been looked upon as the “Dockyard” Church. Curiously enough, his father also died at Chatham, Sept. 8, 1610, probably while on a visit to his son, who, though living at Deptford, would have to spend some time at Chatham when the Dockyard pay was disbursed.<sup>16</sup> On the west wall of the Church are the following tablets:—

<sup>13</sup> Edisbury succeeded Sir Thomas Aylesbury, who was the first of the Surveyors.

<sup>14</sup> Oppenheim, in his *History of the Administration of the Royal Navy*, p. 281, says “He was perhaps the most observant and energetic of the chief officers.”

<sup>15</sup> Readers of the *Ingoltsby Legends* will remember “The Parish Clerk of Chatham,” an amusing tale connected with this Church.

<sup>16</sup> His mother died at Deptford. A tablet in S. Nicholas’ Church there records “Jane Edisbury, widow, mother of Kenrick Edisbury, gent., Paymaster of the Navy under Sir William Russell, Knt., Treasurer, ob. 16 Mar. 1618.”

Neere this place lieth interred  
 The Body of Kenricke Edisbvry of March-  
 Wiell in the County of Denbigh  
 Esquire, Surveyor of His Majtys Navie.  
 He was a good Christian, a  
 Faithful Servant, a loving Husband  
 A Kinde Father and a charitable man  
 And died The 27th. of August 1638.  
 Leaving issue by Mary his Wife  
 (Daughter and heire of Edward Pe-  
 Ters, alias Harding of Rochester  
 Gent.) John and Richard.

---

Here lieth buried near  
 This place the body of  
 Robert Wilkinson  
 Edisbury Gent. who dwelt  
 In Marchwiell in the  
 County of Denbigh  
 Who died the VIII day  
 September A.D. 1610.

Immediately above, in a niche, was placed a fine marble bust of the Surveyor, but at the time of the restoration of the Church some years ago the niche was done away with, and the bust placed higher up the wall on a marble slab supported on two brackets.<sup>17</sup> It is a fine piece of work, and from two prominent warts on the side of the face it would seem that this bust was certainly taken from a death mask.<sup>18</sup> It will

<sup>17</sup> Owing to this removal the bust has got separated from the tablet appertaining to it, and no one in recent times seems to have understood to whom it referred, or to have appreciated this memorial of a distinguished public servant. A former Rector of Chatham published a list of the principal monuments in the Church, but entirely omitted the Edisburys.

<sup>18</sup> Mr. W. C. Finch, of Chatham, obligingly photographed the bust for me, by kind permission of the Rev. Dr. Godfrey Burr, Rector of Chatham; and my best thanks are due to my old friend, Mr. Godfrey C. Catt, of Chatham, for arranging this matter, and for other valuable help.

be seen that Edisbury is wearing a gown of office, and that such was the custom is, I believe, a fact not hitherto known.

Salisbury says that the arms of the Edisbury family are "azure, a unicorn passant regardant or; and for the crest an unicorn's head with his neck erased or." But Kenrick Edisbury obtained a grant of arms from William Camden as follows:—

"Azure, a unicorn or.<sup>19</sup> Crest: on a mount vert, a raven sable, supporting with the dexter foot a staff with a pendant per fess azure and gules;" and it is certified thus:—

"The arms and crest of Mr. Kenrick Edisbury of Edisbury and Merthwell (Marchwiell), County Denbigh, servant of King James, Surveyor of His Majesty's Navy. Exemplified, ratified, and confirmed to him and his posterity.

Signed, William Camden,  
Clarencieux.

Examined ye 12th day of October 1638 by us William Le Neve *Clarencieux*, John Phillpot *Somerset*, W. Beauchamp *Portcullis*."

In the *Visitation of Kent* John Philpot, Rouge Dragon, Deputy to William Camden, Clarencieux, gives the arms of Edgebury *alias* Wilkinson:—

"Azure, a unicorn passant regardant or. Crest: on a mound vert, a bird sable supporting a pennon azure and gules, the ends floutant, the top argent, thereon a cross of the fourth; staff or."

As Camden died in 1623 it would seem that Edisbury's naval position must have been considered an important one even before he was made

<sup>19</sup> The unicorn is *passant regardant*. "A Unicorn," says our old Chester Antiquary, Randle Holme, "is the emblem of strength, and signifies the bearer to be a lover of his country; one that eschews vice and loves purity of life; is a generous warrior who will die rather than be captivated." It was not inappropriate, for I believe Kenrick Edisbury certainly loved his country and led a good life. At a later period the family adopted a motto, *Servabo fidem*.

Surveyor in 1632, or he would not have been granted a naval pennon. Edisbury was proud of this coat, and frequently sealed his official letters with it.<sup>20</sup>

Edisbury's death was a distinct loss to the Navy. "Now that Mr. Edisbury is dead the necessity of an able man there will be the greater," say the Dockyard officials writing from Portsmouth on August 31, 1638; and there is little doubt that his reforms and stern measures caused him to be feared and perhaps disliked. Had we lived in those times probably we should have heard many say, "You'll have old Edisbury after you." No wonder then that his ghost was supposed to haunt his old official residence at Chatham!

Twenty-three years after his death, on April 8, 1661, Batten (who had succeeded Edisbury in office) and Pepys went on naval business to Chatham Dockyard, and were lodged for the night in the "Hill House" close by. Pepys says:—

"Then to the Hill house at Chatham where I never was before and I found a pretty pleasant house and am pleased with the arms that hang up there.<sup>21</sup> Here we supped very merry, and late to bed, Sir William telling me that old Edgeborough,<sup>22</sup> his predecessor, did die and walk in my Chamber, did make me somewhat afear'd, but not so much as for mirth's sake I did seem—So to bed in the Treasurer's

<sup>20</sup> It will be seen that the naval pendant (as it was called) was at first a small affair, but seems to have been gradually lengthened. Perhaps Edisbury made it correspond to his official promotion, so that while he started like a Commodore he left off like an Admiral! The "Edgebury *alias* Wilkinson" is worth notice.

<sup>21</sup> It was an Elizabethan house of brick and timber, with three projecting bays, and stood on the site of the present Marine Barracks at Chatham. On the ground floor was a large pay office, and above was bedroom accommodation for the Paymaster and his clerks when they came to Chatham Dockyard. There is a small but pretty sketch of it by the Dockyard officials in the British Museum.—*King's MS.*, 43.

<sup>22</sup> Curiously enough, on April 14, 1638, we find his name in a Commission from the King spelt as "Kenrick Edgeborough." This corroborates Pepys, and shows that it was the ordinary pronunciation. It was merely going back to the Saxon "burgh."



Chamber. April 9. And lay and slept well till 3 in the morning, and then waking, and by the light of the moon I saw my pillow (which overnight I flung from me) stand upright, but not bethinking myself what it might be I was a little afeared, but sleep overcame all and so lay till high morning."

Now the Hill House was not the permanent residence of the Surveyor, and two days later Pepys, with Lady Batten (who accompanied her husband on this inspection) went "to see Mr. Commissioner Pett's house, he and his family being absent," and here, says Pepys:—

"I wondered how My Lady Batten walked up and down with envious looks to see how neat and rich everything is, (and indeed both the house and garden most handsome) saying she would get it, for it belonged formerly to the Surveyor of the Navy." (April 9, 1661).

Pepys had no high opinion of Lady Batten, and this little incident shows how unscrupulous she was, unless, indeed, she was merely joking. We see that Pepys admired the Hill House.

Now in the following month (May, 1661) the Duke of York wrote to the Navy Board recommending that the lease of the Hill House should be bought by them, if it could be obtained at a reasonable rate, as the said house "is very convenient for the Service of His Majesty's Navy." We may be sure that this was another of those secret suggestions that James used to get from Pepys, who no doubt sat at the Navy Board chuckling to himself when the letter was read.

Two years later (July 11, 1663) Pepys was again at Chatham Dockyard and at the Hill House. He says:—

"So, late to bed, and Mr. Wayth being gone, I lay above in the Treasurer's bed and slept well. About one or two in the morning, the curtain of my bed being drawn waked

me, and I saw a man stand there, by the inside of my bed, calling me 'French dogg' 20 times, one after another, and I starting, as if I would get out of the bed, he fell alaulghing as hard as he could drive, still calling me 'French dogg' and laid his hand on my shoulder.

At last, whether I said anything or no, I cannot tell, but I perceived the man, after he had looked wistly upon me, and found that I did not answer him to the names that he called me by, which was 'Salmon,' Sir G. Cartaret's Clerk, and 'Robert Maddox,' another of the clerks, he put off his hat on a suddaine, and forebore laughing, and asked who I was, saying 'Are you Mr. Pepys?' I told him yes, and now being come a little better to myself, I found him to be Tom Willson, Sir W. Batten's clerk, and fearing he might be in some melancholy fit, I was at a loss what to do or say. At last, I asked him what he meant. He desired my pardon for that he was mistaken, for he thought verily, not knowing of my coming to lie there, that it had been Salmon the Frenchman, with whom he had intended to have made some sport.

So I made nothing of it, but bade him good night, and I after a little pause, to sleep again, being well pleased that it ended no worse, and being a little the better pleased with it, because it was the Surveyor's clerk, which will make sport when I come to tell Sir W. Batten of it, it being a report that old Edgeborough, the former Surveyor who died here, do now and then walk."

The following morning Sir W. Batten's clerk again came to apologize to Pepys.

"July 12, Lord's Day. up and meeting Tom Wilson he asked my pardon again, which I did easily give him, telling him only that it was well I was not a woman with child for it might have made me miscarry."

Pepys returned to London the next day—

"and so home and to Sir W. Batten where I stayed telling him and Sir W. Minnes, and Mrs. Turner, with great mirth, my being frighted at Chatham by young Edgeborough."

Pepys is always an interesting psychological problem. Here he was in a strange house, strongly reputed to be

haunted, and he finds a man in the middle of the night standing by him and calling him a "French dog." But he shows no fear, he only thinks the man is mazed or sleep-walking! How many of us under similar circumstances would have been so calm and collected? Yet this same man and his wife two years earlier lay shivering with fear in bed lest a little office boy, whom they heard moving about in his bedroom, should do them harm! The truth is Pepys was very matter of fact. Ghosts, goblins, and fairies did not interest him, hence his calling *Midsummer Night's Dream* "an insipid, ridiculous play." He was only interested in, and believed in, what was going on around him, and that is why he gives us no particulars of his school days or University life—in fact he rarely refers to the past unless it is suddenly brought to his mind by some person or incident.

One other point. Pepys shows great good nature. To be disturbed in this way, and by a young jackanapes of a clerk, was sufficient to make a Secretary of the Navy very angry. But we see that Pepys took the whole thing as a great joke, and was exceedingly kind to Tom Wilson, and soon put him at his ease.

It is not a little remarkable that Edisbury and Pepys should be linked together in this singular way, for they were the two great naval administrators in the 17th century that did their best for the Navy, and left the impress of their work upon it.

The scene of their labours at Chatham—the interesting old Hill House—no longer exists. In the eighteenth century its site was required for some new barracks, so the Hill House disappeared, and with it the ghost of "Old Edgeborough" disappeared also.

## PART II.

## KENRICK EDISBURY'S DESCENDANTS.



F his wife, Mary Peters,<sup>23</sup> we catch only one faint glimpse in a letter from Edisbury to Nicholas, March 16, 1638.

"As soon as we came home from Ratcliffe, my wife made the mouth-water I told you of, which you will receive in a glass by the bearer. It must be made warm in a silver porringer and then 'garble' it in the mouth as hot as you can endure it." By her he had two sons, John and Richard. John was born in 1608 at Deptford. He matriculated at Queen's College, Oxford, April 30, 1624, aged 16, as "son of Kenrick Edisbury of Deptford Stran<sup>24</sup> gentleman." He entered the Navy Office like his father, and in April, 1636, the officers of the Navy certify to 6 names of persons suitable for Clerk of the Cheque at Portsmouth, and one is "John Edisbury one of the Controller's Clerks who has executed the office during suspension."

In 1634 he became a Barrister-at-law of the Middle Temple. Soon after his father's death he seems to

<sup>23</sup> Salisbury says, "Mary daughter to Edward Harding of Harding of Bedfordshire. Bore, gules 3 Greyhounds Current in Barwise or, Collar and Terretts azure." Edisbury's funeral tablet says, "Peters alias Harding," and as Peters is a well-known name about Rochester it is probable that Harding had married an heiress in the neighbourhood and so assumed her name. This was sometimes done, and thus an hereditary alias was not unknown. In the *Herald's Visitation of Wiltshire* in 1623 three families are given with an *alias*, and we see that Edisbury himself is thus described by the Kent Herald. (See *ante*, p. 34). Mary Peters herself was an heiress, and doubtless it was with her money that Edisbury paid for his numerous land purchases. Lady Margaret, relict of Sir John Hawkins, bequeathed "my diamond ring which my niece Trevor gave me on her death bed" to "Mary Wilkinson." Probably this was Edisbury's wife, as he and Lady Margaret both came from Wales. [*Drake*, p. 21.]

<sup>24</sup> Stran, Stron, or Strand. Later the name was confined to the low-lying part of Deptford near the river. Deptford Strand was originally called West Greenwich,



have left the Naval Service and settled down on the Pentreclawdd Estate. In 1653 he bought the Erddig Estate, and Palmer<sup>25</sup> gives a document of that year wherein Richard Davies, "Citizen and Vintner of London," and his wife Catharine, the owners of a large portion of the lands around Erddig, acknowledge the rights of John Edisbury to "13 messuages, 6 gardens, 6 orchards, 2 water mills, 300 acres of land, 60 of meadow, 200 of pasturage, 50 of wood, 50 of moor, 50 of heath and bruery,<sup>26</sup> in Erthig, Wrexham, Sontley, and Marchwiel."<sup>27</sup>

John Edisbury, with the property at Bedwal, Stryt-yr-Hwch and Erddig, had now a very fine estate, and one can hardly be surprised that he gave up the worries of an official life for the delights of a country gentleman, especially as he did not arrive at any high naval position.<sup>28</sup> It is possible, however, that he may have been compelled to relinquish office by the Parliamentarians, for he was supposed to have Royalist tendencies, and is said to have taken up arms for the King. Anyhow, he was considered a disaffected person, and was taken prisoner by General Mytton after a skirmish at Bangor-on-Dee in 1643. An old diary says:—

"Feb. 16, 1643. Colonel Millar came over Bangor Bridge in the morning, and took Sir Gerard Eyton, Sir Robert Eyton, John Eyton, Sir John's brother, all in the house of Sir Gerard and plundered it. Thence he went and took Mr.

<sup>25</sup> *Townships of Wrexham.*

<sup>26</sup> "Bruery," from old French "Bruyere"="Heath, ling, heather . . . also a heath, or heathie ground."—*Cotgreave's Dictionary.*

<sup>27</sup> In *Chronicles of Erthig* a somewhat similar document is quoted as Sep. 15, 1619, but this is either an error or refers to the other portion of the Erddig property. John was only eleven years old in 1619, and if he had any property as a minor it must have been bought by his father.

<sup>28</sup> Palmer makes a slip in calling him "Surveyor of the Navy."

Edisbury and Mr. John Jeffreys, Mr. Humphrey Dimock, of Willington; and his son Mr. Kyffin Vicar of Bangor and his brother William Kyffin of Llanfyllin that came to visit him.”<sup>29</sup> He was imprisoned, but soon released on exchange, and subsequently changed sides, so that his loyalty was not very deep.

In 1647 he was admitted by John Bradshaw,<sup>30</sup> Chief Justice of Chester, to the office of Prothonotary for the Counties of Denbigh and Montgomery, which he held until the Restoration in 1660; and was also Chief Steward of the Lordship of Oswestry. But, what was more important, he was also Steward of the Lordship of Chirk to Sir Thomas Myddelton,<sup>31</sup> the celebrated Parliamentary Commander, from 1645 to 1661. There are many references to him in the *Chirk Castle Accounts*.<sup>32</sup> He went to live at Erddig

<sup>29</sup> From the *Penbedw MSS.*, quoted in the *Cambrian Quarterly Magazine*, Vol. I. (1830), p. 60.

<sup>30</sup> The notorious regicide.

<sup>31</sup> The offer of this appointment and his friendship with Myddelton may have had a great deal to do with his change of sides.

<sup>32</sup> Printed privately by Mr W. M. Myddelton:—

Jan. 16, 1646.	Pa to M <sup>r</sup> John Edisbury his fee and for Councill due at Chras last 1646 as Steward ... ..	10	0	0
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June 9, 1659	Paid M <sup>r</sup> John Maddocks of Wrexham M <sup>r</sup> Edisbury his clarke for writeing the exemplificacon of the fine passed by Sir Thomas Myddelton the elder upon his lands	0	10	0
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1660

Dec 4

The

Steward	Paid John Edisbury Esquire by M <sup>r</sup> Pecke of being his sallarie for the year ended the Llan- last of December 1659 for tending the gollen Court of Chirke and Chirkelands as Steward thereof whereof allowed in M <sup>r</sup> Pecks Sallary rents for 2 years ... ..	10	0	0
for the year 1659				

1661

June 1

Paid John Edisbury Esquire by his servant Hugh Williams of Erthig for 6 oxen had of him about Sep. 1659 ... ..	30	0	0
----------------------------------------------------------------------------------------------------------------	----	---	---

Hall in 1660. He married, as his first wife, Martha, daughter of Joshua Downing, of Limehouse and Chatham, a Commissioner of the Navy and J.P. for Kent, by whom he had three sons and three daughters. She died in 1657, and was buried at Ruabon.<sup>83</sup>

His second marriage arose from a very romantic episode, which must now be related, and is generally called "The celebrated Grosvenor Duel."

In the month of August, 1661, Roger Grosvenor, the eldest son and heir of Sir Richard Grosvenor, second baronet, and ancestor of the Duke of Westminster, had arranged for one of his footmen to run a race.<sup>84</sup> On the evening before the race took place he said to his cousin, Mrs. Houghton,<sup>85</sup> that "if any one rode near his footman he would kill him or be killed by him."<sup>86</sup> It is evident that he anticipated some foul play. The incidents which followed seem to have been hushed up, and historians tell us little, but the usual account is that a certain Hugh Roberts, of Hafod-y-bwch, near Wrexham, apparently *did* interfere with the race, and Grosvenor meeting him soon after-

<sup>83</sup> 1657 Jan 26 "Paid to the poore of Ruabon at M<sup>ris</sup>.  
Edisbury her buryall xij<sup>d</sup> and for  
our horses at Ruabon vj" ... ... 1 6  
(*Chirk Castle Accounts.*)

No memorial exists at Ruabon Church.

<sup>84</sup> This was a favourite diversion of the aristocracy. In the MS. diary of Sir Thos. Mainwaring of Peover we find:—

"Ap. 5. 1649.

at Hurleston at a footrace between Tom Wilbraham of Woodhey and Peter Wilbraham's boys.

July 11. 1649.

at the forest of Delamere to see a foote race betwixt my Cousin Mynshulls man and a Shropshire miller."

<sup>85</sup> She was Lettice, d. of Sir Francis Gamull by Christian sister of Sir Richard Grosvenor, and married, as her second husband, Gilbert Houghton of Houghton Tower.—*Cheshire Sheaf*, July 17, 1912.

<sup>86</sup> See the *Cavalier's Note Book* of William Blundell.

wards, slashed him with his whip and drew upon him. Roberts, who was young and active, whipped out his sword and ran Roger Grosvenor through the body so that the latter died within a few hours, not however before he admitted that it was his own fault.

A few days after his death, namely on the 26 August, bail of £100 was accepted from Sir Richard Grosvenor, of Eaton, baronet—to appear at the next Crownmote Court and prefer bills of indictment against Hugh Roberts the younger, of Hafod-y-bwch, co. Denb., gentleman,<sup>37</sup> for wounding and killing of Roger Grosvenor, esquire, and likewise against Kenrick Edisbury and Francis Edisbury,<sup>38</sup> gentlemen, for “aydeing and abetting.”

Certain citizens entered into recognisances to give evidence and on Sep. 6 the two Edisburys were released on bail, but Roberts remained in the Northgate prison until Sep. 24 when he gave bail for £200, “and found sureties for £100 each in John Brerewood, of Chester, esquire,<sup>39</sup> and Thomas Parnell,<sup>40</sup> of Chester, ironmonger—to appear at the next Crownmote Court held in the Comon hall of pleas to perform the order of the Court, and, in the meantime, to present His Majesty’s gracious letters patent of pardon.”<sup>41</sup>

<sup>37</sup> Matriculated at Brasenose College, Oxford, July 25, 1655, and student of Inner Temple 1656; m. Anne, sister and heir of Richard Jones, alias Wynn, of Plas Newydd in the Parish of Llanfair Dyffryn Clwyd. His father, generally called Major Roberts, had married as his second wife, Mary, daughter of Sir Richard Grosvenor and sister to Roger, so by this marriage, Roberts and Roger Grosvenor were connected.

<sup>38</sup> The two sons of the Surveyor’s second son Richard. They were living a lazy dissolute life at Erddig. See *post*, 48.

<sup>39</sup> Married Sidney, third daughter of Sir F. Gamull, and cousin to Roger Grosvenor.

<sup>40</sup> Sheriff in 1649.

<sup>41</sup> Chester Crown Mote Court [*Corp’n MSS. Mayor’s Book*, 1660-1]. For further legal particulars see *Cheshire Sheaf*, July 10 and 17, 1912, from whence this information is taken.



It was no light thing to have killed the heir of the Grosvenors, and Roger was a *persona grata* at Court, and had been nominated one of the Knights of the Royal Oak. But Edisbury must have had powerful friends, and moreover, his sworn statement, on which the pardon was based, does not seem to have been contradicted or refuted in any way.

From this free pardon<sup>42</sup> we learn a great deal, and can surmise more. The document has never been printed, but as it is in official Latin, with many repetitions and contractions, I have thought it best to give merely a summary.

The race for footmen had taken place on the Roodee on Aug. 21st and at four p.m. Hugh Roberts accompanied by Francis and Kenrick Edisbury was making his way home viâ the old Wrexham Road, and in Handbridge (called as a township "Claverton") they met, suddenly, Roger Grosvenor, who had apparently lost his wager by foul means and considered Hugh Roberts (and no doubt rightly so) as the cause thereof. Grosvenor without more ado "made for" Roberts, "And the same Roger Grosvenor with a sword which he held in his right hand attacked the said Hugh Roberts and reviled him. And the said Hugh Roberts fearing lest through the aforesaid Roger Grosvenor he sh<sup>d</sup> be in peril of his life fled from him, retreating the whole time until at length he c<sup>d</sup> retreat no further."

But Grosvenor followed him up and again "savagely struck at him so that he w<sup>d</sup> then & there have killed him if he had not defended himself and so the defen-

<sup>42</sup> *Public Record Office—Chester 2. 323, Recognisance Roll 13/14 car: 2.* For the loan of this document I am greatly indebted to C. T. Gatty, Esq., who is now writing a history of "Mary Davies," the so-called "Milkmaid of Belgravia," who married Roger Grosvenor's son, and so brought the valuable London property into the Grosvenor family.

dant being absolutely in fear of death and to save his life & by unavoidable necessity struck Roger Grosvenor with a sword [*Anglice* a rapier] which he had in his right hand at the time & ran him through the lower part of his stomach, giving him a mortal wound."

From this mortal wound Grosvenor lingered in Chester until the next day when he died. There was no contradiction to this plain statement of fact sworn to by Hugh Roberts, and the King granted a free pardon.

Headstrong and stupid as Grosvenor was, one cannot help being sorry for his untimely end. Had he challenged Roberts to a duel he would doubtless have been quite justified, but this sudden attack in a public place was no duel, though it has always been so described.

Roger Grosvenor was buried at Eccleston on Aug. 29, 1661, aged 33. He had married Christian,<sup>43</sup> fifth daughter of Sir Thomas Myddelton, of Chirk, and her father and mother attended the funeral and did what they could for the daughter.<sup>44</sup> Christian was not inconsolable, and did not long remain a widow, for in a short time she married, strange to say, John Edisbury, who was then a widower aged 53, so that

<sup>43</sup> Generally called Christiana in all histories, but this is only the Latinized form of her name, as found on funeral tablets, etc. They had six children:—Thomas—who succeeded his grandfather as 3rd baronet and married Mary Davies "the milkmaid"—Robert, John, Roger, Sydney, and Anne.

<sup>44</sup> 1661. Aug 23. Paid to M<sup>rs</sup> Grosvenor at Chester by way of loan to discharge about necessities to interr and towards her husband's funerall  
p Peter Davies 26 Aug. to go to Chester ... 50 0 0  
Aug 28. Paid in our journey to M<sup>r</sup> Grosvenor's funerall for shoeing iiij<sup>d</sup> for all our horses being x<sup>en</sup> in number ij<sup>s</sup>, to the poore at Eccleston xij<sup>d</sup>, for a letter that came from the Earl of Carberry by the post xij<sup>d</sup>, in all ... 0 4 4

*Chirk Castle Accounts.*

she actually allied herself to a family that was implicated in her first husband's death.<sup>45</sup> But she must have known John Edisbury very well indeed seeing that he had been for so long her father's steward, and certainly no one was better qualified to look after her interests. It is obvious also that he was by no means remiss in looking after his own. Christian's son, Sir Thomas Grosvenor, being a minor, was placed under the guardianship of his mother and stepfather. Christian died in 1670, and an action was at once brought by the boy through the other guardian, Thomas Cholmondeley, of Vale Royal, against John Edisbury, who in 1675 was obliged to relinquish his trust, give up a "basin and ewer,"<sup>46</sup> the property of the boy, and reimburse £12,000<sup>47</sup> "in full satisfaction of profit received for his use by M<sup>r</sup> Edisbury and his late wife, mother of the complainant."

John died in 1677, and was buried at Ruabon April 27, and in his will he expressly desired "to be buried without any scutchion or funeral pompe & if it be with any convenience in the morning to avoid that usual disorder & drunkenness that too often attends the funeralls of our countrey."

He was evidently thinking of the great funeral of Sir Thomas Myddelton, which he had superintended as Steward, when the whole country side attended, and the feasting and drinking was on a gigantic scale.<sup>48</sup>

<sup>45</sup> Mr. J. F. Edisbury, of Wrexham, possesses an oil painting which is said to represent John and Christian together with an old servant Dorothy.

<sup>46</sup> Probably christening presents.

<sup>47</sup> According to Palmer; £1,200 in *Chronicles of Erthig*.

<sup>48</sup> The cost was about £18,000, and cooks and a turnspit were hired from Chester, Wrexham, and Ellesmere.

"There never was and never shall  
Be seen so great a funerall"

sang the Chirk Castle poet.

In addition to his Welsh estate he died possessed of lands in Staffordshire. By his second marriage with Christian Myddelton, John had no children, but by his first wife, Miss Downing, he had three sons and three daughters, and his eldest son, Josua, or Joshua,<sup>49</sup> succeeded to the estate.

We will now leave the direct line for a time and turn to RICHARD EDISBURY, the second son of the Surveyor. He was born at Chatham, entered into business in London, and died (probably) in 1654, and this is practically all we know about him. Salisbury states:—

“Richard Edisbury a Woollen Draper at ye 3 Colts in Budge Row in London, married [Anne] Daughter<sup>50</sup> of Sir Francis Bickley of Kent, and have issue:—

1. Kenrick eldest son married [Grace] daughter to — Cooper of Wrexham, are both now living in France 1676 and have issue.
2. Francis, 2nd son married Eleanor daughter and heir to Tho: Jones of Plas-Oddiar-y-Clawdd in y<sup>e</sup> Parish of Ruabun, Gent. both now living A.D<sup>ni</sup>. 1676 and have issue.”

These children were the two “ayders and abettors” of Grosvenor’s death,<sup>51</sup> and we know a good deal more about *them*. They lived close to Roberts, who was a tenant of theirs, and it appears highly probable that they with him had hatched some plot against the

<sup>49</sup> He was so named after his grandfather, Joshua Downing, but he always signed his name “Josua.”

<sup>50</sup> From an entry in the *Chirk Castle Accounts* we learn that Mrs. Richard Edisbury died in 1663 in London—

“Disbursements in going to London 10 Oct 1663.

Oct 23. Paid for a coach for my M <sup>r</sup> and lady to goe to M <sup>rs</sup> Edisbury’s funerall	...	...	...	4	6”
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<sup>51</sup> “Paid the Constable and the men that went to apprehend Francis Edisbury	...	...	...	...	0	1	0”
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*Chirk Castle Accounts* Aug 23, 1661.



footrace, that Grosvenor got wind of this beforehand, and hence his threat. That they were quite capable of doing so if it should turn out to their pecuniary advantage is certain, for their life was one constant evasion of creditors. They paid no attention to their wives and children, but lived at Erddig, during the absence of Joshua, and spent their whole time in cock-fighting, horse-dealing,<sup>52</sup> and racing, etc., and in writing to Joshua to pay their debts. A few particulars of these two brothers will be of interest.

Kenrick, the eldest, is described as of Grofft-y-Castell,<sup>53</sup> near Gresford, and he sold his share of the family estate at Hafod-y-bwch to Francis. He matriculated at Jesus College, Oxford, July 25, 1655. He seems to have been fond of mechanics, and amongst other inventions took out a patent for carriage rollers.<sup>54</sup> He refers to them in a letter, May 16, 1694:—

“Providence hath hitherto so crosst me in all my undertakings, that I dare not hope for success in anything, otherwise this business of the Rollers would yet seeme to me to be likely (in time) to recover all, for I heare they are made and approved of in many places, but I am at present in noe manner of condition to prosecute it.”

Again, on June 6, 1694, he says:<sup>55</sup>—

“I went last week into Shropshire in hopes to have gotten a little money of M<sup>r</sup> Kinaston of Hordley and M<sup>r</sup> Owen of Cundover who have made Rolling Carts, but they

<sup>52</sup> A certain Mr. Jeffreys complains of a horse sold to him by Kenrick, and declares the horse to be “unsound and moons-blind, and sometimes at the change and full of the moone could not see at all.”

<sup>53</sup> Now known as The Roft. The old fortification still exists.

<sup>54</sup> *William and Mary, Pat.* 3. What these exactly were is not known, but Mr. Philip Yorke kindly informs me that he thinks they had to do with the milling process, but the letter given below would seem to point to vehicular use.

<sup>55</sup> *Chronicles of Erthig*, p. 91.

both put me off at present, pretending not to have been fully satisfied that anything was due to me, though I shewed them my pattend, soe that my going was but the occasion of spending that little money I had left."

Money was very scarce. On June 6, 1694, he writes: "Confined to Erthigg for want of money. I am master of but one shilling, w<sup>h</sup> is too small a stock to venture abroad with."

Towards the end of his life, however, he obtained some small office under the Admiralty at Deptford, and actually tried to pay off some of his debts. He also became a Socinian.

His daughter Grace says, Sep. 3, 1696:—

"My father is now a very good husband, but his place is not near soe good as we heard it was in the country, for it is but as the first account he gave you of it. Blessed be God it is what makes him live comfortably & spares a little money w<sup>h</sup> he payes as fast as he can, & the desire he has of paying his detts makes me hope if it pleases God to spair his life some years he will be out of debt, w<sup>h</sup> I am sure will be a great comfort to me. My father is very kind to me, but above all his kindness in not offering me any of his Socinian books, nor saying anything to me of those errors I take the most kindly, he has never said one word to me of it."

To his Cousin Joshua he writes:—

"As for Socianisme it is not easy to avoid discoursing of it because every body baites me about it but I do not speake of it unless with such as I have reason to expect instruction from, it is certainly our greatest concernment to know God and his son, Jesus Christ, for this, our Saviour tells us, is life eternall w<sup>ch</sup> I hope we shall both attaine to by the satisfaction our blessed Saviour hath made to almighty God for our sins w<sup>ch</sup> I agree w<sup>th</sup> you is that by w<sup>ch</sup> only we can be saved."

He died sometime before March 25, 1719.

Francis, the second son of Richard, was worse than Kenrick, and certainly did not equal him in ability.

He lived the same sort of life at Erddig,<sup>56</sup> but never made any attempt to discharge his liabilities. He was buried at Wrexham Oct. 26, 1706.

It is sad to think that these two grandsons of the Surveyor were so unscrupulous and unbusiness-like, but mismanagement of money runs through the whole Edisbury family. Of the fourteen children born to them (each had seven) there is nothing to be said except that Kenrick's second son was named Kenrick, and entered the Navy Pay Office, as became one bearing that name, and Francis' son, Richard, got some small appointment in connection with rope-making, probably at Plymouth Dockyard.

We now return to the direct line, in the person of Joshua Edisbury.

He was born in 1638. Matriculated at Brasenose College, Oxford, Dec. 9, 1653, was J.P. for the County of Denbigh, and served the office of High Sheriff in 1682. He married Grace, third and youngest daughter of Sir Henry Delves, of Doddington, Bart.<sup>57</sup> Had he been contented with the nice estate to which he succeeded, and managed it well, he might have led a happy life, and perhaps have influenced his two cousins by a good example. But he was ambitious and reckless. He purchased more land at Erddig, and in 1684 built the middle portion of the present mansion,<sup>58</sup> and in doing so completely "overbuilt himself" as

<sup>56</sup> He writes to Joshua Feb. 19, 1693; "Erthigg looks very empty without you . . . I should be glad of a little tobacco, Wrexham tobacco being very bad for ye rate."

<sup>57</sup> She had a marriage portion of £2,000. There was no issue.

<sup>58</sup> The cost was £677. The house was extended to 85 feet long and 50 feet deep, after the plan of Inigo Jones. The brickwork was done by Mr. Carter, of Chester.



*By kind permission of Philip Yorke, Esq.]*

Erthig (Erddig).  
(The Garden Front.)





the saying is. His portrait is well drawn in the *Chronicles of Erthig*:—

“The man is revealed in every line of the innumerable documents he so carefully docketed and left behind. A jovial, easy-going country gentleman, addicted unfortunately to speculation, chiefly in mines, and to gambling in the then national sport of cock-fighting. His hand always in his pocket, but by no means only for himself. . . . He had a large circle of relatives and acquaintances, most of whom appear to have been constantly in debt and difficulty. He himself borrowed largely in every direction,<sup>59</sup> never paid interest on his mortgages or bonds, but preferred after a few years to renew the obligation for capital and interest, not unfrequently borrowing further sums from the same person.”<sup>60</sup>

Year by year he plunged deeper into debt, and was compelled to live away from Erddig, which, as already stated, gave shelter to his two worthless cousins and other dependants, and for ten years the house was in the hands of Receivers. At last the crash came, and the house and land were sold to Mr. John Mellor, a Master in Chancery, in 1715, for £17,000, that being the highest offer.<sup>61</sup>

In 1716 Joshua was living at “The Blew Spires,” Old Bailey, but the date of his death and place of burial are unknown.

Well would it have been if he had not involved others in the ruin that he brought upon himself, but, unfortunately, his younger brother John was dragged into the financial whirlpool and also suffered destruction.

<sup>59</sup> Amongst his creditors was Elihu Yale, founder of Yale University, who had advanced £2,000.

<sup>60</sup> *Chronicles of Erthig*, p. 36.

<sup>61</sup> From him the present owner, Philip Yorke, Esq., is directly descended.

With the exception of his grandfather, the Surveyor, John was the most celebrated member of the family. He was born 1646. Matriculated at Brasenose College 9 Nov. 1661, aged 15, "son of John E. of Pentreclawdd, co. Denbigh, arm."; B.A. 1665; M.A. 1668; B.C.L. and D.C.L. 1672; a Student of Gray's Inn 1664; Advocate of Doctors' Commons 1672; a Master in Chancery 1684-1709; M.P. for Oxford University 1678-9; Chancellor to the Bishop of Exeter.

Antony à Wood says:—

"Joh. Edisbury of Brasennose Coll. . . . was chose a Burgess for the University of Oxon to serve in that Parliament which began at Westminster 6 Mar. 1678, and was afterwards one of the Masters in Chancery. He became Chancellor to the Bishop of Exeter on the death of Dr. Edw. Master in Oct. 1692."<sup>62</sup>

There is an interesting letter of his amongst the Erddig MSS.<sup>63</sup> addressed to his elder brother Joshua, and announcing the death of Charles II. It begins thus:—

"Dear Brother,

Upon Friday, a quarter before 12 the King resigned his soul to Almighty God. A little before he dyed the room was cleared, only the Duke, the E. of Bath and another Lord. What was said I cannot hear, only the King gave him (the Duke) his breeches, and told him there were papers that concerned him in his pocket, and gave him the key of the Closet. Some while before he mentioned his 2 sons that were unprovided for. I cannot hear that he mentioned the D. of Monmouth in all his sickness to the Duke or any that waited on him. . . .

I am your truly loving brother,

JOHN EDISBURY.

Feb. 7 [1685]."

<sup>62</sup> *Fasti. Oxon.*, Vol. II., p. 189, 1771 Ed.

<sup>63</sup> Published in *Border Counties Byegones*, N.S., Vol. IX., p. 22.; also in *Chronicles of Erthig*, p. 47.

In his position as Master in Chancery he embezzled a large sum of money and lent it to Joshua. Whether the latter knew whence the money came cannot be decided, but one who has studied all the documents in the case says: "I, too, should think Joshua Edisbury must have been a rogue, since the records show that the two brothers tried to do one another and the various money-lenders with whom they had dealings."<sup>64</sup>

John Edisbury's petition to the Lord Chancellor for mercy is sad reading. He says:—

"Yo<sup>r</sup> Petitioner with ye Utmost Shame and Sorrow, doth acknowledge his Crimes & abhor himself for his Breach of Trust, in Misapplying ye Money committed to his Charge by y<sup>e</sup> Order of this Court, (so that he is unable at present to pay ye same.)

But forasmuch as yo<sup>r</sup> Peticon<sup>r</sup> was seduced into that guilt by affection towards his Brother, Whose Estate yo<sup>r</sup> Peticner then verily believed to be more than sufficient to reimburse y<sup>e</sup> money lent, & all other Incumbrances whatsoever.

And for that y<sup>r</sup> Peticner hath allready given all y<sup>e</sup> Satisfaction of w<sup>ch</sup> he is at present capable, by delivering up & making over in truste for y<sup>e</sup> Suitors of ye Court, all Bondes & Securities for Moneys w<sup>ch</sup> he any way had, & leaving himself nothing to depend on besides Charitie of Friends."

Therefore the Petitioner goes on to ask for his discharge from office, etc.—*Chronicles of Erthig*, p. 141.

He died May 16, 1713, leaving, according to one writer, "sufficient money to found the Prerogative Court at Canterbury." But this is quite impossible. The family tradition is that he died of a broken heart,

<sup>64</sup> *Chronicles of Erthig*, p. 138. But Mr. Palmer says (p. 231 *op. cit.*):—"The conviction is forced on me by reading a great deal of his correspondence that Joshua did not mean to be dishonest. He was amiable, well-disposed, and certainly much beloved."—[I am sorry I cannot agree with Mr. Palmer.]



penniless, intestate, and without issue; and as Joshua also had no issue, the direct line of the Edisburys came to an end.

Their heirs-at-law were Mrs. Martha Lloyd (sister to John and Joshua) and their nephew, Edward Owen.

Mr. Palmer says:—<sup>65</sup>

“The blood of John Edisbury, of Erddig, was continued, firstly, through his daughter Martha to the Phillipses, of Gwernhaulod, and then to the Fletchers, of Gwernhaulod and Nerquis Hall, both in the County of Flint; and secondly, through his daughter Mary to the Kynastons, of Bryngwyn, Montgomeryshire, and then to the Owens and Mostyn Owens, of Woodhouse, Salop.”

Lloyd's *History of Powys Fadog*, errs in saying that James Edisbury, of Bersham, who died in 1792, was the eldest son of Joshua Edisbury, of Erddig. There was, as I have said, no direct heir, but from these Edisburys of Bersham Hall (which was not built or owned by the Edisburys of Erddig) Mr. J. F. Edisbury, J.P., of Wrexham, the present representative of the family is descended. “There can be no doubt that the two families were branches of one stock, and related laterally in some way which I have not been able to trace,” says Mr. Palmer, and I agree with him.

As Mr. Palmer gives the Edisbury pedigree, I have not thought it necessary to print it here. It requires a little revision and some additions, which can be made from this article and from the *Chronicles of Erthig*.

<sup>65</sup> In his book and in the *Chronicles of Erthig* will be found many items that I have had to omit, but I think I have left out nothing of importance.



## The City Gilds of Chester: The Bricklayers' Company.

By FRANK SIMPSON, F.S.A.

(Read 16th March, 1915).

**T**HIS Company ranks sixth on the list of the twenty-three existing City Companies, and bears the title of "The Bricklayers' Company." It has not always been known by this name; in the 16th century it was described as "The Company of Bricklayers or Tylers," but the latter title ceased to be used and the combined trades were called "Bricklayers." The London Gild still retains its original title of "Tylers and Bricklayers."

In an account of the twenty-six companies which at that time existed, the Company was described as that of the "Cappers, Pinners, Wyredrawers, Linnen Drapers and Bricklayers,"<sup>1</sup> but in 1602 it was known as the "Linen Drapers and Bricklayers' Company."

In a list of the City Companies entered in Vol. I., p. 73, of the Skinners and Feltmakers' Company, it is stated that: "The Cappers,<sup>2</sup> Pinners,<sup>3</sup> and Wire-

<sup>1</sup> *Harleian MS.* 2150, f. 376.

<sup>2</sup> Makers of caps, answering to the French "*Bonnétiers*."

<sup>3</sup> One who makes pins—or, one who pins, fastens, or transfixes with a pin. (*Murray's English Dictionary*).

drawers,<sup>4</sup> or, as they are otherwise styled, Linen Drapers and Bricklayers, though they are formed into two distinct Companies, were formerly but one. According to tradition this curious combination of trades arose owing to a bricklayer—who at that time was Mayor of the City—taking to wife a lady who was a linen draper, and thus the Linen Drapers became incorporated with the Bricklayers.”<sup>5</sup>

Towards the end of the 17th century various differences appear to have arisen between the members of the two trades; the Linen Drapers appealed to the Mayor, who, after hearing their complaints, decided, 1679, that the “Lynen-drapers and the Bricklayers should be separated as one Company, the latter being troublesome and unserviceable to the former.”

#### THE REGISTERS.

At the present time the Bricklayers' Company has in its possession two registers, or minute books, each of folio size, but varying in actual inches.

The first book commences in 1738, is 12½ inches by 8 inches, and is bound in vellum. It contains particulars of income derived from the members' subscriptions, etc., but particulars of expenditure are very meagre, and cease altogether in 1773. This is not exceptional, as in each of the companies' books I have had access to I find the items of expenditure, with their full details, quaint expressions and words, cease about the middle of the 18th century. The first eighteen pages contain the rules of the Society. At the end of the book are two pages occupied by the enrolment of apprenticeship deeds, etc., the first of which is dated December 24, 1681, and the last entry February 5, 1724. These

<sup>4</sup> See *Journal Chester Arch. and Hist. Soc.*, Vol. XX., p. 6.

<sup>5</sup> *The Skinners and Feltmakers' Books*, Vol. I., p. 73.

entries are all in the same style of writing as the rules at the commencement of the book, and would therefore incline one to believe that they had been removed from some earlier book and inserted in the present one; but careful examination shows the paper to be of the same make and watermark throughout. The entries, therefore, have evidently been copied from an earlier book of which, unfortunately, nothing is now known.

At a meeting held May 30, 1885, "It was unanimously resolved that instead of having new leaves put into this book, or getting a new book, future entries of the Meetings of the Company be recorded on the blank leaves commencing on the leaf after 'Order 23' of the Company, made May the first, 1741, to be headed at commencement page 1." This order was not strictly carried out as the page was numbered 29. This volume therefore continued in use until 1896, when Volume II. commenced; the latter measures  $13\frac{3}{4}$  inches by  $8\frac{1}{2}$  inches, is bound in parchment paper boards, and bears written on the cover:—

"THE BRICKLAYERS COMPANY  
IN THE CITY OF CHESTER  
BOOK No. 2  
1896"

Inside the cover and on the first page is a list of the members; on the second page is an entry:—

"The earlier book belonging to this Company and marked No. 1 is attached to this book."

No doubt the idea of lacing the two books together was to secure the disused book from going astray, but it is unfortunate that this was done, as it is the cause of the older book being pulled to pieces and the covers of the new book defaced. Upon my drawing the attention of the Steward to this he immediately said that he



would lay the matter before his Committee, and I understand the books have now been separated.

From the foregoing remarks it will at once be understood that there is now no record of the Company between the year 1679, the time when the Bricklayers were separated from the Linen Drapers, and 1738, when the first of the books now in the Company's possession commences. Fortunately the rules and a few of the apprentices' enrolment deeds were copied into the new book.

About the beginning of the nineteenth century there were twenty-five City Companies. Twenty-one of these were governed by Aldermen and Stewards; three, including the Bricklayers' and the Goldsmiths' Companies, by Masters and Wardens; and one Company by Wardens only. The London Companies are all governed by Masters and Wardens.

#### THE COMPANY'S CHARTER.

Although there is no mention of a Charter in the existing books of the Company, Randle Holme III., the Chester City Herald, informs us that the Bricklayers or Tylers were incorporated by Queen Elizabeth, and the Charter of Incorporation was confirmed by King James.<sup>6</sup> The early books of the Linen Drapers' Company may shed some light on the matter. The London Company of Tylers and Bricklayers were also first incorporated 10th Elizabeth, August 3 [1568].<sup>7</sup>

#### THE OATH OF THE MASTER OF THE SOCIETY AND COMPANY OF BRICKLAYERS WITHIN THE CITY OF CHESTER.

"I, A—— B——, shall be true unto the King of England [the word England is crossed out and Great

<sup>6</sup> *Harleian MS.*, 2033.

<sup>7</sup> *The Livery Companies of London.*

Britain written above] and his heyres and to the Maior of the Citty of Chester, and to the Libertyes thereof, and also to the Company of Bricklayers within the said Citty, and truly and duly maintaine the same with all my might and power. And all good and lawfull ordinances that the Master and Wardens with the maior part of the said Company hath made, or hereafter shall make for the well ordering and good of the said Company I shall and will keepe doe and observe and cause to be kept and observed at all times according to the utmost of my skill and abilitie. Soe help me God."

#### THE OATH OF THE WARDENS OF THE COMPANY.

"I, ———, shall be true unto the King of England and his heyres and to the maior of the Citty of Chester and to the Libertyes thereof. And also unto the Society and Company of Bricklayers in the same Citty And their Councell keepe And the good governm<sup>t</sup> of the same Company well and truly maintaine with all my might and power And use my best dilligence and endeavor to cause the Orders and Decrees made, and to be made by the Master, Wardens, and the Maior part of the said Company for the profitt and benefitt of the said Company to bee well and truely p<sup>r</sup>formed maintained and kept from time to time and at all times as the Cause shall require And shall yeild and give up right and true accompt of all and singular such Sume and Sumes of money as I shall receive or disburse for or on behalf of the said Company unto the Master of the said Company for the time being and to such others of the same Company as shall bee appoynted to receive the said Accompte And at such time and place as the said Company or the more part thereof shall limitt or appoynt. And shall in all things use duely and truely execute the office of a Warden of the said Company soe long as I shall remaine a Warden thereof

And shall and will dureing the said terme doe and p'forme all other things needfull and requisite for the benefitt and behoofe of the same Company and the good Governmt thereof. Soe help me God."

#### THE OATH OF EVERY BROTHER.

"I shall be true to the King of England and his heyres and to the Maior of the Citty of Chester for the time being and to the Libertyes thereof And also unto the Society and Company of Bricklayers within the same Citty And shall be dutiful and obedient unto the elder brothers of the said Company And I shall conceale and keepe secrett and not disclose such Counsells as at any time hereafter shall be debated or spoken of at any of our meetings being lawfull to bee concealed and p'taining to the profitt of the said Company or the redress or reformation of any disorders or abuse committed against the said Company or against the benefitt or good government thereof And incase my behaviour touching the said Company or any member thereof shall be disorderly, soe as the same Company or the greater number thereof shall thinke mee justly fineable or punishable for the same then I shall stand to abide and obey such order or Decree as shall bee set downe in that behalfe And shall in due time truly pay all and singular such ffine or ffines as shall be assessed against mee for or by reason of any such disorder or abuse And also shall and will beare and pay Scott and Lott with the said Company according to my haveing And all Orders and Decrees made or to bee made by the Master and Wardens and maior part of the said Company and sett downe in the Book of Orders for the same Company shall and will from time to time and at all times hereafter well and faithfully observe maintaine and keepe to the utmost of my power And I shall come to all Meetings and Assemblies to bee made by the said Company or the

greater part of them upon due warning thereof unto mee given by the Wardens of the said Company for the time being or either of them unlesse I have reasonable or just cause to the contrary And I shall at every Assembly or Meeting of the said Company give and yeild my best advice and counsell for and touching the good government and common weale of the said Company of Bricklayers within the said Citty soe often as I shall bee thereunto called or required And all things concerning the good Rule and Civill government<sup>t</sup> of the said Company I shall well and truely p'forme to the utmost of my power. Soe help me God."

#### THE COMPANY'S MEETING HOUSE.

The Company, combined with the Linen Drapers, met at the Common Hall<sup>8</sup> in 1666, and continued to do so until they separated in 1679. The latter continued to meet there until 1682, as sub-tenants of the Smiths, Cutlers, and Plumbers' Company. It is not known where the Bricklayers' Company held its meetings during the period 1679-1689; but during the latter year the accounts of the Smiths, Cutlers, and Plumbers' Company show that the Bricklayers as a distinct company had become their sub-tenants, and continued to hold their meetings at the Smiths' Hall until 1702.

The books now in the possession of the Bricklayers' Company throw no light on the Meeting House. In the various years it is mentioned we simply read:—

"Paid to the Hall .. .. . o 1 o"

This sum evidently refers to a gratuity given to the Hall Keeper, as was the case with the Skinners and Feltmakers' Company. According to the Smiths, Cutlers and Plumbers' Company's Books, the Bricklayers paid them a rental of five shillings a year.

<sup>8</sup> For full particulars of The Common Hall see *The Smiths, Cutlers and Plumbers' Company*, by F. Simpson, *Journal*, Vol. XX., p. 56.



## ELECTION DAY AND QUARTER DAY.

## RULE I. [c. 1681].

"It is ordered concluded and agreed upon by and with the consent of all the Brothers of the Company of Bricklayers in the Citty of Chester that from henceforth and for ever their Election Day for the choosieing of Master and Wardens of the said Company shall bee upon the first day of May yearely and that day to be accompted & their first quarter day, And the second quarter day to bee upon the ffive and twentyeth day of July and the Third quarter day to bee upon the first day of November and the ffourth quarter day to bee upon the Second day of ffebruary yearely for ever."

The Company continued to hold their Annual Meeting on the 1st of May until 1777, when they held it on the 29th of May; this continued until May 31, 1884, when it was proposed by Alderman Joinson, seconded by Brother George Johnson, and resolved—"That henceforth the Meetings of this Company be held annually on the Saturday evening nearest the 29th of May instead of half-yearly, and that two shillings be paid by each of the brethren at every such meeting."

At a meeting held August 24, 1903: "It was decided that owing to the outbreak of small-pox in the neighbourhood where most of the members resided the Annual Meeting should be adjourned."<sup>9</sup>

At the Annual Meeting held May 27, 1916, the members present were reminded that England was engaged in "The Great War," the greatest war the world had ever experienced. The Steward (Brother

<sup>9</sup> The epidemic was somewhat violent in the Handbridge district, one street in this locality being temporarily isolated.

Stanley Gerrard) pointed out that five brethren were serving their King and Country in France, and it was decided to keep them clear on the books until their return. The toast of the evening was to "The absent brethren" who had answered their country's call, the hope being expressed that each would have a safe return. Brother R. G. Gerrard also called the members' attention to the proposed Roll of Honour mentioned by His Worship the Mayor (Alderman John Meadows Frost) in November last; and urged the members to send in the names of any relatives serving with the colours, and especially those belonging to the Company of Bricklayers.

#### ATTENDING THE MEETINGS.

The second Rule, or Order, of this Company was that every brother should attend the meetings.

#### RULE II. [c. 1681].

"Also it is agreed by the consent of the said whole Company that if any Brother of the said Company bee warned by the Wardens of the said Company or either of them to come to any meeting of the same Company at a time and place appoynted every Brother makeing Default and not coming according to order (unless hee can make sufficient excuse) shall forfeit and pay to the use of the said Company the sume of one shilling."

At a meeting held May 29, 1796:

"It was then and there agreed by the said Company that in future any Brother absenting on the 5th November shall forfeit 1<sup>s</sup>/- and on the 29th May shall forfeit 2/- exclusive of the City plate.

It is further agreed by the said Company that for the non-attendance of the Master of the said Company he shall forfeit 5<sup>s</sup>/- and for the non-attendance of the Head Warden 3<sup>s</sup>/-."

“THE WARDENS TO BEE FINED FOR NEGLIGENCE IN NOT  
GIVING DUE WARNEING.”

RULE III.

“It was also agreed [1681] by the consent of the said Company that if the Master of the said Company shall appoynt a time and place for a meeting of the Brethren and require the Wardens of the said Company to give notice and Warneing thereof that then every warden of the said Company that shall through negligence make defaulte in giveing due warning to any of the same Brethren shall forfeit and pay to the use of the said Company for every such defaulte the sume of Two Shillings.”

At a meeting held May 29, 1796, the fine for omitting to give due notice of meetings to the brethren was reduced to one shilling for every brother omitted.

“NOT TO DEPART FROM A MEETING WITHOUT LICENSE.”

RULE IV. [1681].

It was also

“Agreed upon by the said whole Company that if any Brother of the Society shall appeare at any of their assemblyes and shall afterwards depart and goe away from their meeting house before the said assembly shall bee dismissed (except he have License given him so t[o] doe by the Master of the said Company) such Brother shall forfeit and pay to the use of the said Company the sume of Two shillings.”

At a Meeting held 1681, it was decided that every brother should wear his cloak, or gown, when present at meetings or burials.

RULE V. [1681].

“It is ordered and agreed upon by the whole Company that if any Brother of the said Company being warned to come to any of our meetngs and doe not come in a Gowne then every such Brother for every

such Default shall forfeit and pay to the use of the said Company the sūme of Two shillings."

#### ATTENDING FUNERALS.

##### RULE VI. [1681].

"Also it is agreed upon and concluded by the said Company that if it should please Almighty God to call unto his mercy any Brother or Sister of the same Company and the Brothers shall be warned by the Wardens or either of them to come to the funeral, then every Brother that shall make Default in coming according to the warneing or that shall misbehave himselfe there shall forfeit and pay to the use of the said Company the sūme of Three shillings and ffoure pence."

The books do not contain any interesting items of expenditure at funerals such as are found in the earlier books of the Smiths, Cutlers, and Plumbers'.<sup>10</sup>

In the Bricklayers' accounts we have:—

"1738 November y <sup>e</sup> 11 <sup>th</sup> Disburst at the funeral of Bro W <sup>m</sup> Harvey's wife	„ 14 0
1752 May 31 <sup>st</sup> To Warning the Company to the Funeral of Robert Orden's wife	„ „ 6
June 1 <sup>st</sup> , Spent at the Funeral of Mr Thos Yates	„ 2 0
1760 Feb. 26., Expended at the Funeral of Mr Hugh Jordan	„ 6 6"

#### ADMISSION TO THE COMPANY.

The members of this, like most other companies, originally followed the titular trade of the Company.<sup>11</sup> At the present time there is not a single member of the Company following that occupation.

The fees for admission to the Company have varied during course of time as is shown by the following:—

<sup>10</sup> See *Journal*, Vol. XX., p. 25.

<sup>11</sup> *Ibid.*, p. 44.



## RULE VII. [1681].

"It is ordered and agreed by the whole Company that if any brothers sonn desire to bee admitted into the said Company having served at the Trade the terme of Seven years hee shall pay to the use of the said Company before his admittance the sume of Thirty Shillings and every other pson that hath duely served an Apprentiship with any of the brothers shall pay to the use of the said Company before his Admittance the sume of Three pounds."

June 3, 1723. The charge for admission was increased to four pounds for a Brother's son, and eight pounds for those persons obtaining admission to the Company by servitude.

May 1, 1728, the fee was again increased. It was then ordered:—

"That all persons hereafter who shall desire to become a Brother or Brethren of this Company Shall pay for his or their admittance as a fine to this Company the sume of Ten pounds, Brothers sons excepted when shall be free born and such Brothers son or sons to pay five pound."

At a meeting of the Company held February 15, 1749:—

"Thomas Harvie was admitted a Brother of the Company of Bricklayers within the Citty of Chester and he being a Brothers Son tho' not Free born paid to the Company as a fine for his admission as a Brother thereof the sum of Seven pounds."

At the same time Edward Boden was admitted and paid a similar sum.

December 10, 1776. James Boden was admitted to the Company "and paid for his admission the sum of Three pounds ten shillings."

In 1789 the Fee was again increased, for we find at a meeting held November 20 of that year:—

“It was ordered and agreed upon with the Consent of the Majority of the Brothers of the Company that in future no Bricklayer shall be admitted into the said Company as a Brother without paying a fine for his admittance the sum of Twelve pounds Twelve Shillings to the said Company of Bricklayers in the said City of Chester.”

This rule was, however, soon broken, for we read that William Boden was admitted a Brother, November 8, 1791, “And he being a Brothers son and Free born paid to the said Company as a fine for his admission as a Brother thereof the sum of Six pounds Six shillings.” The reduced fee may readily be accounted for as at this time there were only five members in the Company, three of whom were closely related to the new member.

The following year it was decided with the consent of the majority of the Company:—

“That in future and from this date no person shall be admitted into the said Company as a Brother without paying a fine for his admittance the sum of Fifteen pounds, except a Brother's son who shall be admitted for the sum of Seven pounds ten shillings to the said Company of Bricklayers in the said City of Chester, As witness our hands this Eighteenth Day of January in the year of our Lord One thousand seven hundred and ninety two.”

This increase of entrance fee is clearly accounted for by the fact that the members of the Company were to participate in Owen Jones' Legacy, due at Midsummer this year, which they eventually did to the extent of £203 11s. od.<sup>12</sup> October 13 of the same year, the

<sup>12</sup> See Owen Jones' Bequest, p. 79.

admission fee was again altered: a Brother's son was admitted for a fee of £3 10s., if by servitude only the fee was £7.

At a meeting held May 27, 1893, it was agreed, on the proposition of Brother Joseph Joinson, seconded by Brother Robert Lewis, "That in future persons may claim the freedom of the Company through their grandfathers providing they are Freemen of the City of Chester."

May 29, 1897, it was decided "That all members joining the Bricklayers Company shall be admitted at a fee of ten shillings and paying for the stamp." This was a very wise step, and no doubt did much towards putting the Company on its present sound basis.

"BROTHERS TO BE LOVEING ONE TO ANOTHER AND  
NOT TO INTERRUPT ONE ANOTHER IN  
TELLING THEIR MATTERS."

#### RULE VIII. [1680].

"It is ordered and agreed by all the said Company that no Brother shall behave himselfe disorderly in their meetings or at any of their Assemblies nor disturb or interrupt any of the same Brothers in the telling of his tale or opening of his matter before the Master and Wardens and the rest of the said Company, nor give to any the lye, nor to call any of the Brothers worse than his proper name in wrath or anger But every Brother is to take his place according to the time of his being admitted a Brother of the said Company And likewise to behave themselves lovingly gently and in the ffeare of God one towards an other And to be ruled and governed by the Master and Wardens and maior part of the said Company for the good and benefitt of the whole Company And every Brother that shall doe otherwise shall forfeit and pay to the use of the said Company for

every offence by him committed to the Contrary the sūme of Three shillings and ffoure pence."

"NOT TO SUE AT LAW WITHOUT LICENSE OF THE  
MASTER."

RULE IX. [1680].

"It is ordered and agreed by the consent of the whole Company that noe Brother of the same Company shall comence any Aſſon or suite in Law or Equity against any other Brother of the said Company for any matter whatsoever untill hee have made the Master of the same Company acquainted with the case of his intended suite who is to endeavour to take up and end the Controversy in a friendly way or by Arbitraſon if hee can or else the plaintiffe may afterwards seeke his remedy by Law. And if any Brother shall offend in doeing Contrary to this order hee shall forfeit and pay for every such offence to the use of the said Company the sūme of Three shillings and ffoure pence."

"AN ORDER FOR PAYING QUARTERIDGE."

RULE X. [1683].

"It is fully agreed by the consent of the whole Company that every Brother of the said Company shall upon every Quarter Day beginning upon the ffirst and twentyeth day of July 1683 pay the sūme of one shilling of lawfull money of England to the Wardens of the same Company for the use of the same Company by the name of Quarteridge money towards discharging of the necessary charges of the said Company And that every Brother which shall refuse or neglect to pay his Quarteridge at any Quarter Day shall forfeit and pay to the use of the said Company for every such neglect the sūme of Two Shillings."

A further entry, dated November 1, 1683, says:—

"It is agreed that for the present only four pence a quarter shall bee paid to the Company; and now agreed to pay sixpence a quarter."



This entry makes one wonder whether the brothers had to pay fourpence or sixpence, but in the accounts for the year 1767-8 there are several entries which cast considerable light on the matter. During the year named John Brooks appears to have been paying quarterage for eleven of his workmen; sixpence each for ten, and for a man named Percivall, half a quarter, threepence, making a total of 5s. 3d. Several other entries show that each employer paid fourpence per quarter for himself and sixpence each for his men.

May 1, 1756. It was decided:—

“That for the future the quarterages should be paid for half yearly To wit on every Fifth Day of November, and First Day of May.”

#### CONCERNING JOURNEYMEN.

##### RULE XI. [1680].

“It is ordered and agreed by the Consent of the whole Company that noe Journyman shall be sett at worke untill hee bee enrolled in the Companyes Book kept for that purpose And that every Journyman shall pay at his entrance one shilling and at every Quarter's-day afterwards sixpence to the use of the said Company And it is further agreed that noe brother of the said Company shall sett any Journyman at worke after hee is inrolled in the said Companys Booke without the consent and leave of his former master under whom hee was enrolled upon paine of forfeiture of Tenn Shillings to the use of the said Company for every such offence committed contrary to the true intent & meaneing of this order And it is further Agreed upon by the said Company that if any Brother doo hereafter set att worke and imploy any Journiman or Journimen that hee or they who set him or them att work shall pay his or their quarterage of sixpence the quarter in case the

said journiman shall or doe worke in his Masters service above one weekes time upon pain of forfeiture of ffive shillings."

"A BROTHERS SON EMPLOYED AS A JOURNIMAN."

RULE XV.

"It was ordered by the consent of this Companie that every Brothers sone who shall at any time hereafter worke as a Journiman with any Brother of this Campanie bee hee ffather to the Journiman or otherwise shall pay to this Company the sume of six pence a quarter in such manner as journimen who are not ffreemens sones have heretofore paid & now doe pay and that every master who shall hereafter imploy any such ffreemens sone or sones as his or their journimen shall pay to the use of this Companie the said sume of Sixpence the quarter in case the said journiman shall or did doe worke in his Masters service above one weekes time upon pain of fforfeiting to the use of this Companie the sume of two shillings and sixpence."

SELLING OF BRICKS.

At a meeting held June 25, 1737, owing to

"A complaint being made this day that some Brothers of this Company have sold and do frequently sell Bricks to several journimen Bricklayers not free of this Companie who lay the said Bricks as of themselves & for their own profit and not as journimen or Servants to any Brother of the Company for Remedy whereof it is fully consented unto and Agreed upon by the Brothers of this Company that if any Brother or Brothers of this Company that is any Brother or Brothers thereof shall att any time hereafter sell any bricks to any journiman or journimen Bricklayers which Brick shall be by him or them made use of or laid in building within the Libertyes of the City of Chester as aforesaid that such Brother or Brothers so offending in the premises shall pay to the Master of

this Companie for the time being for the Companies use the sum of five pounds."

"EVERY BROTHER SHALL PAY SUCH FINE AS SHALL BEE DUELY ASSESSED UPON HIM."

RULE XIII. [1680].

"It is agreed that every Brother of the said Company who shall bee duely fined for any offence or misdemeanour by him committed against the said Company for breach of any order belonging to the said Company shall at or before the next meeting of the said Company after such fine imposed upon him duely and quietly pay the same fine to the use of the said Company or else p̄mitt and suffer the Wardens of the same Company to Distraine upon his goods for the said fine And that every Brother of the said Company who neglecting to pay his said fine shall refuse to suffer the said Wardens to Distraine for the same shall forfeit and pay to the use of the said Company the sūme of Three shillings and ffour pence for every such refusal besides the former fine imposed upon him."

"NOT TO TAKE WORK OUT OF ANOTHER BROTHERS HANDS."

RULE XIV. [1680].

"Ordered by the Consent of this Companie that if any Brother of this Companie att any time hereafter shall bee imployed or sett att worke that noe other Brother shall seeke or goe about to undermine or take the said worke out of the first Brothers hands soe imployed without first haveing obtained and gott the first Brothers consent thereunto upon paine and forfeiture to the use of this Companie the sūme of Tenn Shillings."

"APPRENTICES TO BEE ENROLLED."

RULE XII. [1680].

"Also it is agreed by the whole Company that every

Brother that hath taken any apprentice or hereafter shall take an Apprentice, such Brother shall enrole his Apprentice in the Companies Book kept for that purpose at the next meeting of the said Company And shall pay to the Clerk of the Company for the time being for such enrollant the sume of ffoure pence."

At the end of Volume I. there are twenty-four such entries; the first being:—

"John Walton sonn of William Walton of Hanly bound apprentice unto Matthew Browne for seven yeares from the 24<sup>th</sup> Day of December 1681.

William Coulton son of Margret Coulton bound apprentice to Alban Gray for seven yeares from the 8 day of July 1681.

John Shaw son of Larent Shaw bound to Peter Platt for seven yeares from ye 17<sup>th</sup> day August 1681.

John Roberts son of Robert Thomas bound apprentice to Alban Gray for seven yeares from the 29<sup>th</sup> of September 1691.

Timothy Davie son of Roger Davie of Soughton upon the Hill bound apprentice to Thomas Harvy for seven yeares from the Twenty ninth day of September 1694.

Joseph Butler son of Benjamin Butler late of Whitechurch in the County of Salop Deceased by Indenture Dated y<sup>e</sup> fourth day of ffebruary 1716 bound apprentice to Joseph Roydon for seavon years from y<sup>e</sup> second day of ffebruary 1716."

The last entry is:—

"John Rutter son of Robert Rutter of the City of Chester Labourer by Indenture dated the fifth day of ffebruary 1724 and in the Eleaventh year of the Reign of our Sovereign Lord King George over Great Britain &c bound apprentice to Samuel Price for seven years the first day of January 1724."



The various Companies' books bear evidence that people residing at a distance from the City were eager to apprentice their sons to Freemen who were members of a City Company, so that they might thereby become free to the City and a Company.

"NO BROTHER TO TAKE AN APPRENTICE WHO IS A  
MARRIED MAN."

RULE XVI. [1680].

"Ordered by the unanimous Consent of this Companie that if any Person who now is or hereafter shall bee a Brother of this Companie shall take any person to bee an apprentice who is or shall bee a Married man at the time such pson shall bee bound an Apprentice that in such Case such Brother soe offending shall forfeite & pay to the use of the Companie the sūme of five pounds."

This rule was strictly necessary as cases are found in the various Companies' books in which middle-aged men with families, who were not freemen, endeavoured to arrange—and in many cases succeeded—with members of a Company that they should be apprenticed to them so that they might become free to the City and Company by servitude, and their families through them by heritage, though it was not intended to serve a day to the trade.

"NOT TO TAKE TWO APPRENTICES UNTIL THE FIRST  
HATH SERVED HALFE HIS TYME OF SEVEN YEARS."

RULE XIX.

June 3, 1723. It was ordered by the consent of the Company,

"That noe person who now is or hereafter shall bee a Brother thereof shall take a second Apprentice till such time as the first Apprentice shall have served three yeares and halfe of his terme of seven yeares And every Brother offending against this order shall pay to

the Master of this Companie for the time being for the Companies use the sūme of five pounds."

## RULE XX.

May 1, 1728. It was agreed by the majority of the Company,

"That no Brother thereof for the future shall take any Apprentice and shall afterwards Assign or turn over y<sup>e</sup> same Apprentice to another Brother of this Companie upon peraltie of any Brother offending shall pay to the use of the Companie five pounds."

INDENTURES TO BE DRAWN UP BY THE CLERK.

## RULE XXIII.

May 1, 1742. It was agreed,

"That every Brother of this Company who shall att any time hereafter take any Apprentice or Apprentices by Indentures shall be drawn by the Clark of this Company who hath the keeping the seal of this Company to seal such Indentures which shall be brought and inrolled in the Companys Book att the next Meeting of this Company after the execuçon of such Indentures And that no Brother of this Company shall employ any person than the Clark of this Company to draw any such Indentures upon payn and forfeiture to pay five shillings to the use of this Company."

At a meeting held March 24, 1739, it was reported to the Company,

"That one Edward Smith who had been formerly bound an Apprentice to one Peter Bowden a journeyman Bricklayer who lived within the City of Chester had petitioned the Mayor, Aldermen and Justices of the peace within the said City to be admitted a free-man of the said City and Corporation which the said Mayor, Aldermen, Justices and Council refused to grant unless the said Edward Smith could get and obtain the consent of this Company by reason the said Edward Smith was not bound an Apprentice to a

Brother of this Company but to the said Peter Bowden a journieman Bricklayer who had not any right to take an Apprentice to the said Trade And the said Company being this day peticoned to give their Consent that the said Edward Smith may be Admitted a ffreeman of the said City of Chester this Company upon consideraçon thereof refuseth to consent that the said Edward Smith may be Admitted a ffreeman of the said City by reason that he was not lawfully bound Apprentice to some Brother of this Company but to the said Peter Bowden a journieman Bricklayer who was not entitled to take an Apprentice."

Smith appears to have continued working as a journeyman bricklayer in the City, much to the annoyance of the Company, for at a meeting held May 1, 1742, a complaint was made that,

"Edward Smith who was not bound an Apprentice to any Master or Brother of this Company who now is or are or have been doth work as a journey Bricklayer within the City of Chester under pretence or colour of working under some Brother of this Company, this Company upon Consideraçon thereof do forbid Every Brother of this Company not to imploy the said Edward Smith as a Journiman Bricklayer either in the City of Chester or in the Country And if any Brother of this Company shall imploy the said Edward Smith to work as a journey man Bricklayer either in the said City or County such Brother offending agt this order in imploying y<sup>e</sup> said Smith to work att the said Trade shall pay to the Wardens of this Company for the Companies use the Sum of five pounds."

The following year, 1743, Mr. Price was fined £1 1s. for taking an apprentice contrary to a former order given. In 1756, Joseph Butler was fined 10s. 6d.

"For taking Wm Beckett an Apprentice before the usual time. To wit a year earlier than usual."



In April, 1757, John Pemberton was fined a similar sum for a like offence. April 20, 1759, John Brookes paid a fine of 10s. 6d.,

“For taking John Walley as his apprentice before his other apprentice had served half his time.”

#### THE HORSE RACES.

This, like the other City Companies, regularly subscribed to the Horse Races. At a meeting held February 19, 1713, the Company, at the request of the Mayor and Corporation, agreed to contribute a yearly sum towards a piece of plate,

“To be run for on the Roodee on St. George’s Day yearly for ever.”

In the Company’s books we find year after year :—

“Paid to St. George’s Plate 6<sup>s</sup> 8<sup>d</sup>”

This subscription continued until 1773, after which year it ceases to be mentioned.

#### THE MIRACLE PLAY, AND MIDSUMMER SHOW.

There is no mention in the books now in the possession of the Company of the Miracle Play or Midsummer Show; neither would there be any account referring to either of these plays in the earlier book now lost. This is not to be wondered at as the Bricklayers and Linen Drapers separated and became distinct companies in 1679; a year after the Midsummer Show was finally abolished by an order of the Corporation.

May 21, 1602, the following order was received by the Linen Drapers and Bricklayers’ Company from the Mayor, John Ratcliffe :—

“Whereas the Companye of Bricklayers within this Cittie are to be at charges in settinge forth of the Showe or Watch at Mydsomer of Balaam and Balaam’s Asse, whereunto as well the freemen of the Lynnen drapers, brickmakers, and brick laiers of this Cittye,



as also the forreners [non freemen] inhabitinge within this Cittye, and using the trades aforesaid, have been accustomed to bee contributarye. These are to authorise Robert Ridley and George Antrobus, Aldermen of the Companye of Bricklayers, and Robert Goodaker and Thomas Markes, Stewards, to collect of every of the said persons aforesaid all such somes of money as they have been heretofore accustomed to paye and as hath been accustomed to bee collected towards the charges aforesaid."

#### THE COMPANY'S BANNER, OR COLOURS.

The Company's books contain little or no information in regard to the colours. The Company had colours, as we find in the books year after year the following entry:—

"For carrying the Colours 10"

the pay varying from 6d. to 1s. 6d. From 1738 down to the present time there is no account of a new colour being purchased.

#### THE COMPANY'S SEAL.

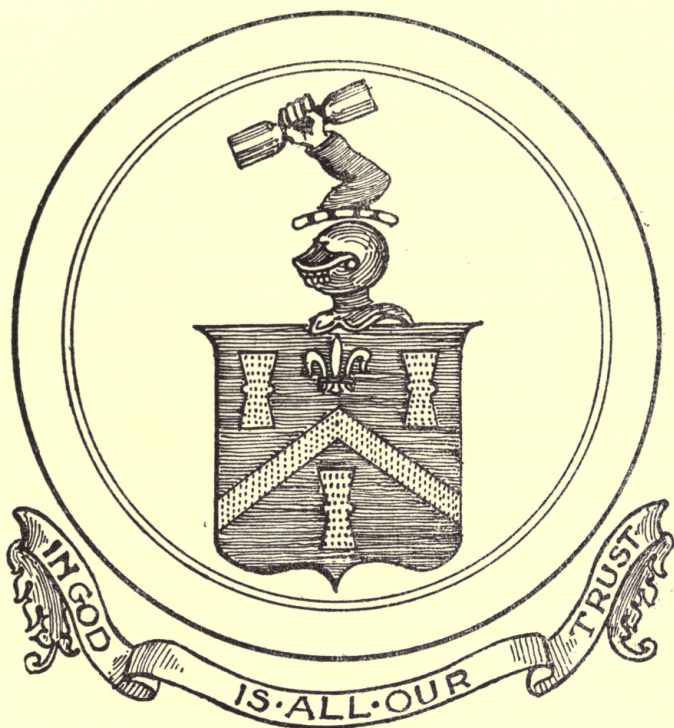
The books now in the possession of the Company contain no account as to when the seal was purchased. The silver plate upon which the design is engraved is unusually thick, circular in form, and measures  $1\frac{1}{4}$  inches in diameter. The collar attached to it is  $1\frac{5}{8}$  inches in length. This is attached to a wooden handle. The design of the seal is that of the arms and crest of the Company:—

**ARMS.** Azure a chevron or; in chief a fleur-de-lis argent, between two brick axes palewise of the second; in base a bundle of laths of the last.

**CREST.** On a wreath a dexter arm embowed, vested per pale, or and azure, cuffed argent, holding in the hand proper a brick axe or.

MOTTO. "In God is all our trust."

The arms and crest of the Chester Company are similar to those of the London Company of Tylers and Bricklayers.



*H. F. Davies, A.R.I.B.A., del.*

According to Randle Holme,<sup>13</sup> the Chester City Herald, the Bricklayers or Tylers were incorporated by Queen Elizabeth and confirmed by King James.

#### OWEN JONES' BEQUEST.

The Bricklayers, like each of the other City Companies, participated in the benefits derived from Owen Jones' Bequest, but not to the extent of some of the

<sup>13</sup> *Harleian M.S.*, 2033.

companies. When the Bricklayers were combined with the Linen Drapers and formed one company they received an equal proportion of the interest accruing from that bequest. At that time the Company ranked fifth of the City Companies, but when the Bricklayers were separated from the Linen Drapers, the former retained their place as fifth Company and the latter were placed sixth. The two companies were then completely distinct in every way except in regard to the benefits accruing from the bequest of Owen Jones; in this they were regarded as one company, and when their turn came to receive that money it was paid in equal proportions to the Company of Linen Drapers, and Bricklayers.<sup>14</sup>

In the Company's accounts for 1768 is a list of the members of that time, ten in number. A marginal note states:—

“This year Owens money was reced by the Company—To Wit abot Midsummer 1768.”

There is no record as to the amount received or what became of it.

In the disbursements for that year we find:—

“July 25<sup>th</sup> To warning the Company and  
when Owens money was received, o r o.”

In 1782, an Order, identical in terms with one made by other Companies<sup>15</sup> on or near the same date, shows that Owen Jones' Bequest then amounted to £10,260 6s. It refers to “The Aldermen and Stewards of this Company,” but is signed by John Meredith, Master, and John Shone, Warden.<sup>16</sup>

<sup>14</sup> For copy of Owen Jones' Will, see *Journal*, Vol. XVIII., p. 143.

<sup>15</sup> For instance, the Skinners and Feltmakers, July 22nd, and the Barber Surgeons, July 25th, 1782. The Order is printed in full in *Journal*, Vol. XVIII., p. 145, and Vol. XXI., p. 128.

<sup>16</sup> See page 81.



October 20, 1792,

“The Company of Bricklayers received one half (the Company of Linen Drapers receiving the other half) of Owen Jones Legacy which became due at Midsummer in the present year the said one half amounted to £203 11 0 and was paid to the following brothers of the Company.

Mr John Meredith Senr	Master
Mr John Meredith Junr	} Wardens
Mr William Bowden	
Mr John Shone	Mr John Boden
Mr Edward Boden Senr	Mr Will <sup>m</sup> Gibson
Mr Edward Boden Junr	Mr James Boden
Mr John Hughes	Mr John Jones
Mr Joseph Bowden	

Each member therefore received about £17. That is the last entry in the Company's books in reference to this bequest.

Through the kindness of the officers of the various City Companies the writer has been allowed to study the history of these ancient companies probably more than any other person. It is only by such study that one begins to understand the part they played in the City's history. Owen Jones' Bequest was, no doubt, much abused in days gone by, and people derived benefit from it who were not, according to the wishes of the benefactor, entitled to do so. Owen Jones left the estate at Minera, near Wrexham, to the poor brethren of the Chester City Companies; unfortunately, many men who were well supplied with the necessaries of this world also managed to get a share. This was not the intention of the donor; his aim was to help deserving brethren who from various causes, due to no fault of their own, were reduced in this world's goods, and whom the revenue derived from his bequest



might ease in the declining days of life. To-day this bequest is called "Owen Jones' Charity"; why, the writer fails to understand. The word "charity," so far as the writer can gather from a copy of the will, is not mentioned, and it is certainly unfortunate that the word—through course of time—should have crept in. This is the view of most freemen of the city with whom I have come in contact. It is no more a charity than gifts made by will to-day, to people living under more affluent circumstances.

#### THE CHESTER AND NANTWICH CANAL.

The Bricklayers, like all the other City Companies, agreed to subscribe to the making of the Chester and Nantwich Canal, the Act for which passed the House of Lords, Tuesday, March 10, 1772. The Company took part in the ceremony when the Mayor cut the first sod, Monday, May 4, 1772.

The Company also took part in civic functions, and the accompanying of the Mayor to church. It also took part in the annual "Walking of the City Boundaries." Various items are entered in the Company's books of the cost on these occasions, such as:—

"May 1 1750 Expences at Riding the Boundaries of the City	„ 8 6
Sept 30, 1757, P <sup>d</sup> for 3 horses on Riding the Bounds	„ 6 0
July 25, 1764 To riding the Bounds paid for 2 horses	„ 2 0"

#### THE ANNUAL DINNER.

The Annual Dinner took place on the Election Day for Master and Wardens of the Company. The Company's books, unlike the earlier books of some other companies, contain no detailed accounts of the cost of these gatherings. Many of the Inns at which these

convivial meetings took place have been pulled down, or the license has been confiscated, and the names by which many of them were known are now forgotten, such as:—The Queen's Head, Bridge Street, 1799; The Black Dog, Bridge Street, 1800; The Black Horse, Bridge Street, 1826; The Coach, Handbridge, 1830; The Edgar Tavern, 1837; The Royal Oak, Shipgate Street, 1844; The Rising Sun, Bridge Street, 1851; The Cross Keys, Northgate Street, 1880; The Green Dragon Hotel, Eastgate Street, 1887; The City Arms, Frodsham Street, 1908.

#### THE PRINCE OF WALES' VISIT TO CHESTER, 1869.

On October 9, 1869, a Special Meeting of the Company was held at the Cross Keys, to make arrangements as to the said Company joining the procession on the Visit of His Royal Highness the Prince of Wales, on the occasion of the opening of the new Town Hall on the 15th of that month.

"Jonathan Joinson Sen<sup>r</sup> being the senior brother in the said Society was duly elected Alderman; and the Steward was ordered to purchase Rosettes, etc. for the members and to arrange a definite time for joining the procession."

#### QUEEN VICTORIA'S JUBILEE.

At the Annual Meeting of the Company, held at the Green Dragon Hotel, Eastgate Street, June 16, 1887, it was decided to send an address. prepared by Brother Alderman Joinson, to Her Majesty Queen Victoria, on Her Majesty's attainment of the fiftieth year of Her reign, a copy of which was entered in the Company's books:—

"To the Queen's Most Excellent Majesty. May it please your Majesty

We your Majesty's dutiful and loyal subjects, the Alderman, Stewards and Brethren of the Ancient

Guild under the title of 'The Company of Bricklayers of the City of Chester' which has existed from time immemorial, and as one of the Companies remaining of what formed part—according to the earliest accounts—of the constitution of the City of Chester as a Mercatory Guild or Corporation of Merchants and Artificers humbly beg leave to approach your Throne with our sincere congratulations on the occasion of your Majesty's attainment of the fiftieth year of your beneficent reign—a reign which has been especially distinguished by remarkable progress in the study, practice and application of the Arts and Sciences, and the great development of Education, Trade, Manufacture and Commerce.

Together with all your Majesty's loyal Subjects we acknowledge with heartfelt gratitude the blessings of Almighty God in prolonging the duration of your reign.

We venture to be permitted to express our veneration for all these public and private virtues uniformly and eminently possessed and displayed by your Majesty, and which, whilst adding lustre and stability to your Throne, have through your Majesty's illustrious example, by Divine blessing, greatly contributed to the advancement of true religion and virtue.

We desire also to recognise with heartfelt gratitude your Majesty's constant and unwearied efforts to promote the happiness and welfare of all your Subjects throughout your widespread dominions.

We earnestly trust that your Majesty may long be spared to rule over a loyal, contented and affectionate people.

Given under the Seal of the Company at their Annual Meeting held this sixteenth day of June in the year of our Lord 1887.

J. JOINSON,  
Alderman."



The foregoing address having been forwarded to Her Majesty's Principal Secretary of State for the Home Department on the 17th day of June, 1887, accompanied by a letter with a request of the Company that he would please to favour them by presenting it to The Queen for her gracious acceptance, the following reply was received from the Secretary of State :—

“ Sir,

“ Whitehall, 2nd July, 1887.

I have had the honour to lay before The Queen the loyal and dutiful Address of Alderman, Stewards and Brethren of the Ancient Guild of the Company of Bricklayers of the City of Chester on the occasion of Her Majesty attaining the Fiftieth Year of Her Reign And I have to inform you that Her Majesty was pleased to receive the same very graciously.

I have the honour to be, Sir,

Your Obedient Servant,

J. Joinson, Esq.,

Henry Matthews.

Alderman,

Chester.”

#### EXTRACTS FROM ACCOUNTS.

“ 1739	October 27	Spent when War was proclaymed ag̃st Spain	o	10	o
		P <sup>d</sup> for horse hire that day	o	4	o
1740	November 5 <sup>th</sup>	Spent that day	1	5	o
1746	October 9 <sup>th</sup>	To expences on Thanks-giving day	o	1	3
1748	Sept 10	To Warning the Company to wait on the Lord Lieutenant of Ireland	o	o	6
	Nov: 5	To warning the Company	o	o	6
		To Drink	o	8	o
		proclaiming peace	o	6	o
1753	Nov: 5.	Paid for a New Green Bag for the Books	o	1	6



1756. May 24	Spent when War was declared agt France viz—For Horse hire 3 <sup>s</sup> /- carrying colours 1 <sup>s</sup> /- Spent at Master Yates 10 <sup>s</sup> /4 <sup>d</sup>	0 14 4
1757. Nov 17.	Paid for a writing from the Pentice abt the Company	0 2 0
1760. Nov 1.	Proclaiming King George the 3 <sup>rd</sup> , Three horses	0 4 6
	To carrying the colours & expences	0 7 11
1762. Nov 13	Spent when War was declared agt Spain	0 8 5
1763 March 31	To meat drink &c at the proclamation of peace	0 6 0
	To Horse hire & carrying the colours	0 7 0"

#### ALDERMEN AND STEWARDS.

The names of Masters and Wardens of the Company are not entered in the Society's books between 1800 and 1814; or from 1825 to 1831. About 1826, the titles of Master and Wardens were altered to those of Aldermen and Stewards, but, so far as can be gathered from the Company's books, there is no minute authorizing the change. At the Annual Meeting, 1832, the Company elected two Aldermen, whereas previously there had only been one; and in 1881 the Company elected one Steward instead of two as had previously been done.

The following names of the Aldermen and the Stewards are of those chosen on the election day to fill the office for the ensuing year:—

	<i>Aldermen.</i>	<i>Stewards.</i>
Edward Harvey <sup>17</sup>	—	1738
Thomas Harvey Junr	1739-42	—
Edward Price	1742	—
George Harvey	—	1739

<sup>17</sup> Edward Harvey was a man of some originality, for when signing the Annual Accounts he usually wrote "I am satisfied."

	<i>Aldermen.</i>	<i>Stewards.</i>
John Woodward	—	1739-40
John Ledsham	—	1740-1
John Stubbs	—	1741-2, 1747-9
Robert Arden <sup>18</sup>	—	1742-3, 1749-50
Samuel Price <sup>19</sup>	1743-55	—
John Meredith	1778-1800	1743-4, 1753
Joseph Butler	1759	1744-5, 1753-4
Thomas Yates	1755-58	1745-6
George Harvey	—	{ 1746-7, 1754-5, 1762-3, 1770-1
John Woodworth	—	1748
Thomas Harvie	—	1750-1
Edward Boden	—	{ 1751-2, 1761-2 1769-70, 1773, 1778, 1781, 1783-7, 1789-90
Richard Venables	—	1755-6, 1763-4, 1771-2
Joseph Orden	—	1756
John Yates	—	1757, 1764
John Brooks	1768-77	1757-8, 1765-6
John Pemberton	—	1758-9
John Brown	—	1759-60
John Pemberton	1760-2	—
John Meredith Junr	—	{ 1760-61, 1767-73, 1773-7, 1788, 1791-2, 1798, 1800
John Woodworth	1763-7	—
John Yates Junr	—	1765, 1772
John Brown	—	1766-7
Robert Harvey	—	1768-9
Thomas Cowper	—	1777, 1781
James Boden	—	1778

<sup>18</sup> Died 1755.<sup>19</sup> Died during his year of office and was succeeded by Thomas Yates.

	<i>Aldermen.</i>	<i>Stewards.</i>
John Shone	—	{ 1779, 1782-7, 1790-1, 1795-6, 1799
Edward Boden Junr	—	1779-80, 1793-4, 1798
Thomas Hayes	—	1780, 1782
John Jones	—	1788-9, 1794-5, 1825-6
William Boden	{ 1814-21, 1834-40, 1855-80	{ 1792-3, 1799-1800 1850, 1853
John Hughes	—	1796-7
William Gibson <sup>20</sup>	1822-4	1797
John Wordsworth	—	1814
Benjamin Davies	1832-3	1814-15, 1819-21
John Simpson	—	1815-18
Thomas Simpson	1832-53	1816-18
Nathaniel Bolton	—	1819-21
Thomas Wood	1844-66	{ 1822-3, 1828-33, 1838-9
Charles Gill	—	1822-3
Thomas Goff	—	1824
Peter Linet	—	1824
Peter Nield	—	{ 1825-6, 1834-7, 1845, 1849
William Gill	1841-3	1827
John Cathrall	—	1827
William Woods	—	{ 1828-33, 1856, 1859, 1866, 1870, 1876, 1880
Gilbert Gerrard	—	1834-9, 1844, 1848
Tho <sup>s</sup> Goff	—	1840, 1844-5
Joseph Nield	—	1840
John Gibson	—	1841, 1846, 1849
Robert Lewis	1906, 1908-16	{ 1841, 1846, 1850, 1853, 1857, 1861, 1874

<sup>20</sup> Died 1824.



	<i>Aldermen.</i>	<i>Stewards.</i>
John Thomas	—	1842, 1847
Jonathan Joinson <sup>21</sup>	1881-1905	1842, 1847, 1851-2, 1854-5, 1857-8, 1861-2, 1865, 1868-9, 1873, 1878-9
Charles Price	—	1843
John Johnson	1881	1843, 1851-2, 1854-5, 1858, 1862, 1865-6, 1869, 1880
John Meredith	—	1856, 1859, 1867, 1871, 1876
William Williams <sup>22</sup>	1884-1888	1860, 1864, 1871, 1877, 1886
William Johnson	—	1860, 1863-4, 1872, 1877
Edward Lewis	—	1863
William Gerrard	—	1867, 1871
William Lewis	1907	1868, 1873, 1878-9
John Royle	—	1870
George Johnson	1890-1911	1874
Richard Gilbert Gerrard	1912-16	1875, 1882-98
William Boden Junr <sup>23</sup>	—	1875
Joseph Joinson	—	1899
Stanley Gerrard	—	1900-16

On the election day, May 1, 1739, the Company was composed of the following members:—

Thomas Harvey Junr	Master
George Harvey	} Wardens
John Woodward	

<sup>21</sup> Died, July, 1905.

<sup>22</sup> Died 1889.

<sup>23</sup> Died, 7 January, 1880.



William Bridges	John Langsdale
Hugh Jordan	William Ledsham
Thomas Yates	John Ledsham
Edward Harvey	John Stubbs
Sam <sup>l</sup> Price	Robert Orden
John Meredith	Joseph Butler
George Pickford	

In 1783, the members of the Company had dwindled in number to five:—

John Meredith	John Shone
Edward Boden	James Boden
Edward Boden Junr	

and so remained until 1787. In 1792 the Company had increased its strength to twelve members, whose names are given as participating in Owen Jones' bequest for that year. In 1912 there were twenty-six members, and to-day, 1916, the secretary informs me there are thirty-one members, not one of whom, so far as he could learn, follows the trade of a bricklayer.

The Company appears to have gained a new lease of life, and so strong is its position at the present time that it has every prospect of a long existence, instead of falling, like so many of the other old city companies, into decay. Much of its success is due to the indefatigable work of Brother R. G. Gerrard, one of the Aldermen of the Company, who has been a most active member for nearly half-a-century. In 1903 Brother Gerrard founded the "City Tontine Sick and Burial Society," which now has a roll of about 200 members. His son, Stanley Gerrard, joined the Company 3rd June, 1899, and was appointed permanent Steward of the Company May 26, 1900, which office he retains at the present time.



## The Execution of Criminals in Cheshire.

WRITTEN FOR THE SOCIETY BY

R. STEWART BROWN, M.A., F.S.A.,

WITH A SHORT ADDENDUM BY

HENRY TAYLOR, F.S.A.

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**I**N the year 1834 a curious controversy arose between the Sheriff of the County Palatine and the Sheriffs of the City and County of the City of Chester, which resulted in a situation whereby the prompt administration of criminal justice was prevented. The case involved historical questions of some interest, for the elucidation of which it was necessary to refer to the ancient records of the Corporation of Chester.

From time immemorial it had been the unpleasant duty of the two Sheriffs of the City of Chester to execute all criminals condemned to death by the Palatine Courts, not only in the City but also in the County; although when the body of any criminal was ordered to be hanged in chains in any part of the County the gibbeting was carried out by the Sheriff of the County. The reasons suggested for the obligation thus lying upon the City Sheriffs are various and conflicting. One view put forward is that the duty was voluntarily assumed from jealousy of the juris-

diction of the County Sheriff within the City. Another, that the obligation was charged upon the City in consequence of some rescue by the citizens of felons passing through the City, and that the tenure of the houses occupied by the persons concerned in the rescue was thereafter burdened with the obligation of watch and ward. Another, and the most likely view, is that the obligation arose out of the custody of the Northgate. This gate, over which was the Earl's prison, was committed to the special charge of the City Sheriffs. Among the list<sup>1</sup> of *custumarii* of the City in 1542 we find five persons summoned to the watch by virtue of their tenure of certain houses in Watergate Street, four in Eastgate Street, four in Bridgegate Street, two in Northgate Street and *vicecomites civitatis Cestrie pro le Northgate* itself.<sup>2</sup> On 22nd April, 1320, Edward, Prince of Wales and Earl of Chester (afterwards Edward III.), issued a writ<sup>3</sup> addressed to the Mayor and Sheriffs of the City ordering an inquisition to be held as to the dues and customs taken at the gates of the City. The inquisition was held on 6th February, 1320-1, and deals with each gate in turn. The Northgate comes second. After setting out the various dues which the *custodes porte borealis Cestrie* were accustomed to levy, the jury proceed to state: *Pro quibus vero prisīs custodes dicte porte semper custodient dictam portam una cum prisonibus in prisa dicti domini comitis ibidem incarceratis. Custodiet [sic] etiam claves patibuli, felones eciam et latrones dampnatos suspendet, et faciet bannum*

<sup>1</sup> Morris, *Chester in the Plantagenet and Tudor Reigns*, pp. 235-7. Hemingway's *Chester*, p. 351.

<sup>2</sup> A similar list in the *Chester Custumal*, 1387-1413, does not mention the City Sheriffs. Morris, pp. 553-4.

<sup>3</sup> Morris, p. 554.



*domini Comititis infra civitatem: sonabit cornu del portmote et faciet judicium pillorie.* An ancient version in English of this Inquisition is entered in the Pentice Chartulary as follows:—"For which prises the keper of the gates allwais shall kepe the said gate with the prisoners in the prisoun of the said erle there imprisoned Allsoe hee shall kepe the keys of the felons [*sic*]<sup>4</sup> and theeves dampned to be hanged on ye gibett and he shall cry the courtes of our soueraigne lord the Erle within the cittie and he shall ringe the bell to the portmote and shall do judgements on the pillorie."<sup>5</sup>

Whatever may have been the origin of the custom the officers of the Corporation, as well as the inhabitants of the City from among whom the City Sheriffs were chosen, considered the imposition of this duty of attending to executions a great hardship and annoyance. If their liability had been limited to attending to the execution of persons convicted within the jurisdiction of the City, they would only have been called upon some half dozen times between the years 1780 and 1830;<sup>6</sup> but the County criminals executed within that time had been very numerous.

In 1830 an Act was passed (11 Geo. IV. & 1 Will. IV. c. 70) under which the jurisdiction, criminal and civil, of the Palatinate Court was abolished, and that of the Assize Courts was instituted. There seems to have been some suggestion that the changes proposed by this Act would involve the Sheriff of the County

<sup>4</sup> This mistranslation is no doubt the source of the incorrect version of the Inquisition given by the City Sheriffs in their statement, *post* p. 103. The County Magistrates' statement (*post* p. 99) summarises it more correctly.

<sup>5</sup> Hist. MSS. Comm., 8th Report, App. p. 362.

<sup>6</sup> Report from Commissioners on Municipal Corporations, 1835, App. Part IV., 2621.



of Chester in the future superintendence of executions, and the gentlemen of the County were prepared to object to the Bill unless their Sheriff was continued in his ancient exemption. A meeting was held attended by the members for the City and County, with many of the justices and the town clerk of Chester, at which it appears to have been arranged that the County Sheriff should be maintained in his privilege, but the arrangement unfortunately was not embodied in the Act.

Though the City Sheriffs continued for a few years to execute the criminals under the orders of the judge of Assize, public opinion in the City was probably accurately reflected in the remarks made by Mr. Hemingway in his *History of Chester*,<sup>7</sup> published in 1831. "Some efforts, I believe, were made by the Sheriffs a few years ago in order to be relieved from this irksome part of their duty by a representation to the Home Secretary, but without success. And it is somewhat surprising that Mr. Peel, who has so much distinguished himself by abrogating old laws founded upon feudal and obsolete customs, should not have yielded to so reasonable a demand. The City of Chester possesses all the attributes and immunities of an independent County except this disgraceful adjunct, from which it ought in reason to be exempted; there being no other County in the Empire upon whose civil officers the burden is cast of executing the criminal law on culprits beyond their own precincts and jurisdiction. It is high time that the corporate body and the whole of the citizens should cordially unite in pressing on the Government or the legislature the removal of this evil, at once oppressive and expensive."

<sup>7</sup> p. 352.

In 1834 the City Sheriffs were advised that they were no longer bound to execute, under the Act of 1830, and the following Memorial was accordingly presented to the Home Secretary, Lord Melbourne:—

TO THE RIGHT HONORABLE LORD MELBOURNE,  
Secretary of State for the Home Department.

THE MEMORIAL of George Eaton and Joseph Ridgway  
Sheriffs of the City of Chester and County of the  
same City

SHEWETH

That the County Palatine of Chester is a County Palatine by prescription and that the City of Chester was and is parcel of the said County Palatine.

That there had been immemorially previous to the Act passed in the first year of the reign of our present Sovereign King William IV. entitled "An Act for the more effectual administration of Justice in England and Wales," within the said City Palatine an original superior Court called the Session at Chester held before the Justice of Chester who sat *in Banco*; And that the Justice of Chester for the time being had immemorially used and exercised all the powers and authorities of an original superior Court throughout the said County Palatine in as full and ample a manner as the Court of King's Bench and Common Pleas at Westminster.

That the Courts of the County Palatine of Chester were anciently held within the City of Chester.

That King Edward I. whilst he was Earl of Chester during the reign of his father King Henry III. granted<sup>a</sup> to the Citizens of Chester power [to appoint] two Sheriffs of themselves annually.

That it appears that the oath always taken in the most ancient times by the Sheriffs of the City of Chester was to obey and execute the Mandates of the Earl of Chester.

That the Mayor had as early as the reign of King Henry III. and still bath in his Court of Crownmote power and authority to try capital offences and to award capital punishment for crimes committed within the City.

<sup>a</sup> I can find no evidence of this grant except that from about 1256 two sheriffs from the city appear as witnesses to local deeds.

That the Earl's Chamberlain and Justiciar hath as it appears from a record in the reign of Henry III. exercised a concurrent Jurisdiction in the City of Chester both civil and criminal.

That the Earldom of Chester was seized by King Henry III. and conferred upon his son King Edward I.

That when the King of England had no firstborn Son living the Earldom was in abeyance and the powers and authorities thereto belonging were executed by the King for the time being.

That Arthur Son of King Henry VII. was Earl of Chester until his death which took place in the seventeenth year of his father's reign.

That King Henry VII. by his Charter<sup>9</sup> under the Seal of the County Palatine dated the sixth day of April the twenty-first year of his reign granted that the City and all the ground within the ditch of the said City with the suburbs and hamlets within the precinct and compass of the same and all the ground within the precinct and compass of the City of Chester and the suburbs and hamlets (wholly excepting the Castle within the walls of the City) be exempted from the Shire of Chester and be a County by and in itself distinct and separate from the County of Chester and to be called the County of the City of Chester.

That anciently previously to the charter of King Henry VII. the Earl's Palatinate Courts were held within the City of Chester.

That subsequent to the same Charter they have always been held within the Castle of Chester.

That as well before as since the granting of the said Charter by King Henry VII. all the criminals condemned to be executed by the Palatinate Courts have been executed by the Sheriffs of the City of Chester.

That since the said Charter of Henry VII. matters have been removed out of the City Courts into the Palatinate Courts by *Certiorari*.

That the Palatinate Courts have exercised a paramount Jurisdiction over the City reversing and confirming Judgments given in the City Courts upon writs of Error.

<sup>9</sup> Morris, p. 524.

That the Sheriffs of the City of Chester have constantly obeyed the writs orders and rules issued and made by the Court of Great Session (the late Palatinate Court) viz. by arresting persons upon writs of *Latitat* issued out of the said Court of Session, making returns to writs and bringing up the Bodies of Prisoners confined in the Gaol of the City into the Court of Session to be charged with a declaration and then taking them back to the City Gaol.

That the orders made by the Court of Session (the Palatinate Court) upon the Sheriffs of the City of Chester to execute criminals condemned by the said Court of Session was by a rule of the said Court.

That by an Act passed in the first year of his present Majesty's Reign entitled "An Act for the better administration of Justice in England and Wales," it was enacted<sup>10</sup> that all the power authority and Jurisdiction of His Majesty's Court of Session of the said County Palatine of Chester and of the Judges thereof should cease and determine at the commencement of that Act.

That your Memorialists have been advised that since the abolition of the Palatinate Court they are not bound to execute the criminals condemned in the Assize Court of the County of Chester and that the Judge of Assize hath no power or authority to order or command the Sheriffs of the County of the City of Chester to do any act whatever. The Sheriff of the County attends the Judge of Assize and that he is the only Officer of Law obliged to execute the orders of the Judge holding the Assize for the County of Chester.

That a considerable extent of land surrounding and adjoining the area of the Castle of Chester has been annexed to it and now forms part of the County by virtue of the Act<sup>11</sup> for rebuilding the Gaol of the said County of Chester directing that all land purchased for the purposes of the Gaol should become part of the County of Chester.

That there is before the Gaol of the Castle of Chester a very large area consisting of at least two thousand square yards surrounded by a sunk fence and iron palisade and

<sup>10</sup> Sec. 14 of 11 George IV. and 1 William IV., c. 70.

<sup>11</sup> 28 George III., c. 82.



there is also two acres of land at the least outside of such sunk fence which has been purchased for the purposes of the Gaol and consequently forms part of the County of Chester.

That your Memorialists respectfully beg to express their intention from henceforth of declining to do execution upon any criminal condemned to be executed by the Court of Assize for the County of Chester.

Your Memorialists therefore humbly pray that you will lay their Memorial before the Law Officers of the Crown for their opinion whether they are since the abolition of the Palatinate legally bound to execute criminals condemned to be executed by the Judge of Assize of the County of Chester.

G. EATON.

CHESTER, 4 June 1834.

J. RIDGWAY.

The opinion of the Attorney General and Solicitor General was at once taken by the Crown and was intimated to the City Sheriffs as follows:—

Gentlemen,

WHITEHALL, June 30th, 1834.

I am directed by Viscount Melbourne to acquaint you, with reference to your memorial addressed to his Lordship, that a case has been prepared and laid before the Attorney and Solicitor General for their opinion—whether, since the abolition of the Palatinate Court, the Sheriffs of the City of Chester and County of the same City are legally bound to execute Criminals condemned to death at the Assizes holden for the County of Chester? and I am to inform you that they have reported to Viscount Melbourne their opinion that the Sheriffs of the City of Chester are not any longer bound to execute criminals condemned to death at the Assizes for the County of Chester, and that such criminals ought to be executed by the Sheriff of the County.

I have the honor to be,

Gentlemen,

Your obedient Servant

George Eaton, Esqre.

S. M. PHILLIPS.

Joseph Ridgway, Esqre.

Sheriffs of the City of Chester  
and County of the same City.

The Magistrates of the County on behalf of the present and future Sheriffs, drew up a Statement of matters from their point of view:—

STATEMENT of the Magistrates of the County of Chester.

The origin of the custom of the Sheriffs of the City of Chester executing the County Criminals is almost lost in antiquity, but it seems to be made out from the records of the Corporation referred to by Mr. Hemingway in his *History of Chester* published in one thousand eight hundred and thirty one that the Mayor and Citizens were Keepers of the Northgate of the City and were entitled to certain Tolls in respect to which they were bound to watch the said Gate and the prisoners in the Prison adjoining, to keep the key of the Felons' Gallows and hang up all the condemned Criminals and perform other services.

These duties in process of time appear to have devolved upon certain customary Tenants of the City sixteen in number who were bound amongst other services to watch and bring up Felons and Thieves condemned as well in the Court of the Justiciary of Chester in the County there as of the City as far as the Gallows, for which these Tenants had certain privileges and exemptions. The houses held by this tenure are enumerated in Mr. Hemingway's book.<sup>12</sup>

This personal service appears to have been subsequently commuted for a payment to the Keepers of the North Gate Gaol of two shillings and sixpence called a Gabel<sup>13</sup> or execution rent by the occupier of each of these houses on every execution, which has been regularly paid until the last three or four years when it has not, it is said, been demanded, the Sheriffs of the City having executed the Criminals. The Tenants of these houses are said by Mr. Hemingway to be exempted from serving on Juries.

The Judiciary was no doubt the Officer of the ancient Earls of Chester but the Earldom of Chester became vested

<sup>12</sup> P. 351. See also Morris, 195-6, 234-7. The customary tenants were not responsible for the execution, but only for the custody of the criminals.

<sup>13</sup> This is an error. The gabel rents were quite a distinct and different source of revenue.

in the Crown not long after the Conquest and by the express direction of an Act of Parliament passed 27 Hen: VIII. c. 5 the Lord Chancellor had authority to appoint Justices of Gaol Delivery by Commission under the King's Great Seal who should have full power and authority to inquire hear and determine all things inquirable before the Justices of Gaol Delivery in other Shires of England, not as the Lancashire Judges were authorized to be appointed by another statute passed in the same year (c. 24) which directs that "the Justices of Gaol Delivery shall be made and ordained under the King's usual Seal of Lancaster."

Whatever may have been the form of the appointment of the Judges presiding in the Courts of the County from the time of the union of the Earldom with the Crown (which cannot at present be ascertained) and previously to the statute of Henry VIII., it is clear that since that statute such Judges have been appointed by a Patent under the Great Seal of England containing a regular Commission of General Gaol Delivery which commission conferred no special power on the Justices thereby appointed to require the City Sheriffs to execute the County Criminals but those Officers acted by immemorial usage and unquestionable liability. The Patent also contained a commission of Oyer and terminer for administering Justice in civil matters arising within the Court of Session of the County Palatine. It appears therefore that Criminal Justice in the County of Chester has long been administered under the same authority as in the other counties of England, although the Judges previously to 11 Geo. IV. and 1 Wm. IV. remaining individually the same a new Commission of Gaol Delivery was not issued at each Assize.

And it is inferred that the 14th Section of that Act directing that all the power and authority of His Majesty's Court of Session and of the Judges thereof should cease, and the 19th Section providing that from thenceforth Assizes should be held for the Trial and Dispatch of all matters Criminal and civil within the County of Chester under Commissions of Assize, Oyer and terminer and Gaol Delivery as for other Counties in England, made no real

change in the principle of the Court in which Criminal Justice was administered but was intended to vacate the then existing patents and to substitute for the then presiding Officers the Judges of the Realm who succeeded to the administration of the Criminal Justice of this County with any peculiarities attending the executive departments of it.

When this Act was passing through Parliament the City of Chester, which has a peculiar and exclusive Criminal Jurisdiction, claimed to be exempted from the provisions of the Act and a clause being presented by them for that purpose it was suggested that the liabilities and duties of the City should be preserved as well as their privileges, and the following clause<sup>14</sup> was introduced for both purposes:—

“PROVIDED ALWAYS and be it further enacted that nothing in this Act contained shall be construed to abolish or affect the obligations and duties or the jurisdiction or rights now lawfully imposed upon performed or claimed and exercised by the Mayor and Citizens of Chester in the Courts of the County of the City of Chester or otherwise save and except that such writs of Error or false judgment as may now by any Charter or usage of the said Corporation be brought upon the judgments of the said Courts or any of them before any of the Courts abolished by this Act shall hereafter be issued as in other cases from inferior Courts and be returnable into His Majesty’s Court of King’s Bench.”

It is contended therefore that the reservation of the obligations duties and jurisdiction lawfully imposed upon performed or exercised by the Mayor and Citizens of Chester in the Courts of the City of Chester or otherwise is perfectly general and does (as it was unquestionably intended to do) preserve the liability on the City Sheriffs to execute the Criminals condemned to death at the Assize held for the County.

But supposing the Act of 11 George IV. and 1 William IV. were held to relieve the City Sheriffs from the duty in question it is by no means clear that it can be legally imposed upon the Sheriff of the County and by prescription [he] is

<sup>14</sup> Sec. 15.



in this County entirely exempt from all responsibility for the custody of prisoners either criminal or debtors. That responsibility lies with the constable of the Castle of Chester who holds his office by Patent under the Great Seal with an annual salary from the Crown. The rights and privileges of this Officer are of immemorial usage and have been recognized by the legislature. An Act of Parliament passed in the 28th George III. [c. 82] for taking down and rebuilding the Gaol of the Castle of Chester &c. recites (fo: 17) That the Constable of the Castle of Chester is entitled in right of his Office to the possession of certain buildings &c. adjoining the Gaol and is also entitled in right of his said Office to the custody by himself or his lawful Deputy of all the prisoners in his said Gaol of the Castle of Chester. Power is then given by the Act to certain Commissioners to take down the Constable's house with a view to improvements, with a proviso that the rights and interest of the said Constable and his successors Constables of the said Castle of Chester for the time being to the custody of the prisoners in the Gaol of the Castle of Chester and to the salary fees and perquisites appertaining to the said office of constable of the Castle of Chester as Gaoler or Keeper of the said Gaol shall be continued and preserved to the said Constable and his successors and shall extend to the said Gaol Yards &c. when rebuilt, the same to be considered within the County and within the precincts or liberties of the said Castle of Chester and to be subject to the like exercises of the said office of Constable of the Castle of Chester as the then present Gaol.

The reply of the City Sheriffs was as follows:—

The Sheriffs of the County of the City of Chester conceive that there is nothing in the Statement made by the Magistrates of the County of Chester calculated to shew that any liability now rests upon the Sheriffs of the City of Chester to execute convicts condemned to die by the Judge of Assize for the Shire of Chester or in the least to rebut or impugn any of the facts stated in the Memorial presented to the Right Honorable Lord Viscount Melbourne setting forth the reasons why they considered themselves no

longer liable to be called upon to execute county convicts.

If it were admitted that upon an Inquisition tested in the name of Edward the Black Prince<sup>15</sup> the Keeper of the Northgate was entitled to certain Tolls in kind (which have not been received for some centuries) in respect whereof he was bound to watch the said Gaol and keep the Prisoners in the Prison of the said Earl there imprisoned, to keep the key of the Felons [*sic*]<sup>16</sup> and Thieves condemned to be hanged on the Gibbet, to cry the Courts of the Sovereign Lord the Earl within the City, to ring the Bell to the portmote and to do judgment on the Pillory, and were they to admit that the keepership of the said Gate was conferred upon the Mayor and citizens, no liability was thus cast upon the Sheriffs of the City of Chester to execute criminals convicted before the Earl's Justiciar in his Palatinate Court. The origin of the call upon them to perform that service was that as soon as they were created by virtue of a charter granted by Edward I. whilst he was Earl of Chester to the Citizens of Chester to elect them, they became officers as necessarily attendant upon the Earl's Palatinate Court as the Sheriff of the County inasmuch as before the City of Chester was separated from the Shire of Chester by King Henry VII's Charter, that Court was held within the City of Chester, and as the Sheriffs of the City were bound to take an oath to obey and execute the mandates of the Earl they would be consequently bound and compelled to execute the criminals convicted in the Earl's Court if so commanded to do by the Earl's Justiciar, and it was the more likely that they would be called upon to this service the Court being held within the City.

The circumstance of the Sheriffs of the City having received certain Gabel or execution Rents from certain customary tenants as set forth in the Statement of the County Magistrates, amounts to but very little as according to their own shewing the Sheriff of the County of Chester when he is called upon to execute the criminals will be entitled to receive them, and the more especially when it is

<sup>15</sup> An error. The date was 1321, see *ante*, p. 92.

<sup>16</sup> See *ante*, p. 93, note 4.

taken into consideration that the service to be performed by them was merely to secure the safe custody of the criminals to the Gibbet or place of execution. The customary tenants sixteen in number as owners of certain houses were bound to bring all Felons and Thieves condemned, as well before the Justice of Chester in the County there as before the Mayor of Chester in full crown-mote there, unto the Gibbet for safe custody under a Penalty if they let them escape, for which service they were quit of all Inquisitions Juries and Assizes. But instead of performing the duty in person they have for an unknown period paid severally to the Sheriffs of the City two shillings and sixpence in lieu of personal service which they would have been bound to pay to the Sheriff of the County of Chester if he had been called upon by the Earl's Justiciar to execute the criminals condemned before him or to have attended in person.

It was not by virtue of the 27th Henry VIII. cap. 5 as asserted in the Statement of the County Magistrates that the Chief Justice of the Court of Session at Chester (the abolished Palatinate Court) was appointed but it was by virtue of the statute of the 27th Henry VIII. Chapter 24 sec. 2 that the Chief Justice of Chester was appointed under the Great Seal of England. The statute of 27th Henry VIII. cap. 5 only empowered the Chancellor to appoint Justices of the Peace, of Quorum and of General Gaol Delivery—that is, Justices to administer Justice in the Courts of Quarter Sessions in Chester and Wales as in other Shires, but it gave no authority for the appointment of Judges of the Palatinate Court as erroneously supposed in the statement made by the Magistrates of the County of Chester.

If it had been contemplated by the Legislature that the Judge of Assize appointed under the statute of the 11th George IV. should have the same power as the Chief Justice of the late Court of Session (the Palatinate Court) had over the City of Chester and its Officers, a clause would have for that purpose been introduced into that statute directing that the Judge of Assize to be from time to time appointed for the Shire of Chester should have the power and authority to direct the Sheriffs of the City of Chester as was previously

possessed by the Chief Justice of Chester sitting in the Palatinate Court.

The Palatinate included the City of Chester and consequently the Judges of its Courts had authority to command the Sheriffs of the City.

The Judge of Assize is appointed for the Shire of Chester and therefore as the City is separated from it he cannot have any power by Warrant or otherwise to command the Sheriffs of the County of the City of Chester to obey his Mandates.

Upon receipt of these statements the Law Officers of the Crown were directed to reconsider the matter and the Magistrates of the County were thus informed of the result:—

[COPY.]

WHITEHALL, July 18th, 1834.

Gentlemen,

I am directed by Viscount Melbourne to acquaint you that his Lordship has directed a further case respecting the liability of the Sheriffs of the County of the City of Chester to do execution upon Criminals condemned to death at the Assizes to be laid before the Attorney and Solicitor General with directions to them fully and maturely to reconsider their former opinion upon this question, and that they have reported to Viscount Melbourne that they continue of the same opinion as before.

I have the honor to be,  
Gentlemen,

Your obedient Servant,

THE MAGISTRATES

S. M. PHILLIPS.

of the County of Chester.

The matter was however far from settled and was brought to an acute point in a few weeks. Early in January 1831, disputes were pending at Werneth and Stayley between the master spinners and the workmen's union, and on 3rd January Mr. Thomas Ashton, of the Apthorne Mill, was found shot. On 6th January a proclamation was issued in the *London Gazette* stating that the King would grant a free pardon to any person



(except the person who fired the shot) whose evidence led to the conviction of the murderers. James Garside and Joseph Moseley were eventually apprehended and were tried at the Chester County Assizes before Baron Parke on the 6th August, 1834.<sup>17</sup> The case, the facts of which were remarkable but do not concern the present matter, excited an extraordinary degree of interest, not only from the impenetrable mystery which had surrounded it for several years, but also from the circumstances under which the disclosure was made by one of the murderers which led to the apprehension of the other two. The latter were condemned to be hanged and the execution was ordered to take place on Friday, August 8th. There was considerable anxiety in the City as it was known that the County Sheriff, Mr. Gibbs Crawford Antrobus, though personally not objecting, had determined to resist the duty of execution rather than compromise the rights or privilege of the County. The Clerk of Assize in due course issued the usual warrant to the Sheriff of the County but, as was anticipated, the latter sent a letter to the Judge declining to execute the criminals as he had doubts whether he would be justified in doing so and he then retired from the City to his home. A warrant issued to the City Sheriff met with a similar response to this effect:—

The Sheriffs of the County of the City of Chester convinced as well by the opinions of the Law Officers of the Crown as otherwise that they are not legally bound to see execution done upon convicts condemned to be executed by the Judge of Assize of the County of Chester decline to attend to the Warrant made and directed to them by the Clerk of Assize of the County of Chester to see execution done upon James Garside and Joseph Moseley condemned to

<sup>17</sup> Reported and referred to in *The Times*, Aug. 9, 11, 13, 15, 18, &c.

be executed by the Judge of Assize of the Shire of Chester.

For George Eaton and  
Joseph Ridgway, Sheriffs  
of the County of the City  
of Chester,

JOSEPH RIDGWAY.

Friday, 8th August, 1834.

To

THE RIGHT HONBLE  
MR. BARON PARKE.

Further to fortify their position the City Sheriffs at once addressed a fresh statement of their case to the Home Secretary, now Lord Duncannon, through the member for the City, Mr. John Jervis, afterwards Attorney General, and Lord Justice of the Common Pleas:—  
My Lord,

You are probably aware that two men have been condemned to die at the Assizes held for the County of Chester for an offence which certainly deserves immediate punishment, and you will learn from a communication from Mr. Baron Parke this day that the Sheriffs of the County of the City of Chester acting upon the opinions of the Law Officers of the Crown have respectfully refused to execute these persons and also that the Sheriff of the County of Chester has given a like refusal.

As you may probably be appealed to upon this subject I beg to state shortly some of the grounds upon which the resistance of the Sheriffs of the County of the City of Chester is founded.

Anciently the City of Chester seems to have been within, and to have formed part of, the shire of Chester, and there were then two Officers (*ballivi*) who were the Officers of the Earl of Chester and bound to obey the orders of the Earl's Justiciar whose Jurisdiction extended over the whole Palatinate comprehending the City.

By the Charter of Henry VII. the City was separated from the shire and created a County of itself, the Bailiffs, afterwards Sheriffs, then became Sheriffs of the County of the City of Chester, still liable to the Jurisdiction of the Earl's

Judges, the City being within the Palatinate throughout of the Shire, and the Judges subsequently appointed by Patent by the King as Earl (and not acting under Commission) until the Jurisdiction of the Palatinate was abolished.

Until that abolition the Judges sat in Bank, and execution of the County Criminals was ordered by Rule of Court, reciting the authority of the Judges in Bank, and directed to the Sheriffs of the County of the City of Chester; the obligation was never upon the Mayor and citizens but upon the Sheriffs, as Officers of the Earl, and was submitted to though an onerous and odious Burthen, and objectionable on account of the mode in which the unfortunate objects of punishment were necessarily hurried through the Public Streets just before they were launched into eternity, because the Palatinate Jurisdiction extended over the County of the City of Chester though not locally within the Shire of Chester.

By the statute 11th George IV. and 1st William IVth. cap 70 sec. 13, the Jurisdiction of the Courts at Westminster and of the Judges respectively was extended over the County of Chester in like manner and to all intents and purposes as the same was then exercised over other counties in England; and by the 14th Section all the power authority and Jurisdiction of the Palatinate was abolished, that authority being conferred upon the Judges of the Exchequer at Westminster for certain purposes only, viz, the suits then depending.

If the act had stopped there no question could have arisen, the authority which enforced the liability has ceased, the obligation was determined and the same Law as was applicable in England, parcel of which Law is that the Sheriff of the County shall execute the County Criminals, was extended to the County of Chester.

But it is said that the 15th section keeps alive this liability of the Sheriffs of the County of the City of Chester. It is difficult to arrive at such a construction from the wording of this clause, but in the first place this construction is opposed to the 19th, a subsequent Section which directs that the Assizes in Cheshire shall be held in the same manner as in other Counties in England and be subject to the same Laws,

there being no Law in England which would authorize a Judge to make an order upon any Sheriff not within his Commission nor answerable to his jurisdiction. In the second place, the proviso extends only to the Mayor and Citizens upon whom this obligation never was imposed, the Mayor being in fact a judicial officer, having Jurisdiction of life and death. And in the third place, even should it appear that the liability was continued, the authority to enforce it is abolished, for the Judges no longer sit in Bank, but under Commission, and cannot even compel the attendance of the Sheriffs of the County of the City, much less impose upon them a Duty of a nature so very serious. The 13th section of the Act itself shews that the County of Chester and the County of the City of Chester are distinct.

Since the abolition of the Palatinate the English Judges have refused to do more than sign the Calendar, and the Clerk of the Assize has of his own authority issued his warrant to the Sheriffs of the County of the City. Such a course is clearly illegal—he is but a Ministerial Officer, and if a fine were to be imposed upon the Sheriffs of the County of the City for disobeying the warrant, by whom could it legally be imposed and by what process could it be enforced? Certainly not by the Judges of Assize, for their commission does not extend over the County of the City, and they cannot receive a verdict even within that Jurisdiction even in a civil case without consent.

On the other hand, the Sheriff of the County is the known Officer of the Court of Assize and within the Jurisdiction of the Judge of Assize, and there is even an instance on record in which under the old system execution has been done upon Criminals by the Sheriff of the County Palatine of Chester.

You are of course aware that the Attorney and Solicitor General have already maturely considered this question upon the Statements both of the City and County of Chester and have delivered their joint opinion in favour of the former. To these statements and opinions I beg leave to refer, and trust that in the appeal which has been made to Your Lordship you will be of the opinion that the Sheriffs of the County of the City of Chester are legally justified in the course which



after the fullest deliberation they have been advised to adopt.

I have the Honor to be

With great respect

Your Lordship's Obedient Humble Servant,

JOHN JERVIS.

Chester, 9th August, 1834.

To The Right Honorable Lord Duncannon,

Secretary of State for

The Home Department.

In the meantime, as no one would execute the criminals, there was an *impasse*. Baron Parke respited the convicts until the 18th August so as to allow time for some arrangement to be made, either by Order in Council or Act of Parliament. A suggestion was also put forward that the Secretary of State should send down a mandate ordering one or other of the Sheriffs to execute under a bill of indemnity, but both sides intimated their intention of disobeying any such commands. One of the unfortunate results of the respite was to raise unfounded hope in the minds of the convicts, and a further respite to 18th September, received on 16th August by the gaoler from the Home Secretary by command of the King, directed the condemned men to be informed that there was no hope of Royal clemency. Ultimately the Crown decided to take legal proceedings to ascertain for the future whose duty it was to superintend the execution of Cheshire criminals; but as such proceedings would take time, and it was imperative that the sentences on Garside and Moseley should be carried out at once, the Attorney General (then Sir John Campbell) moved the Court in London for a *habeas corpus* to bring up the men from Chester. On 19th November the prisoners were brought to the bar at the Court of King's Bench in custody of the keeper of the gaol at Chester and of the governor of Newgate. The

Court declined to listen to an application by the Sheriff of Middlesex, who feared that he might be directed to execute, and, after a few days allowed to the prisoners to consider the form of the novel proceedings, ordered them to be executed by the Marshal of the Court of King's Bench, with the assistance of the Sheriff of Surrey.<sup>18</sup> On 26th November both men were executed at Horsemonger Lane Gaol.

The Crown now attempted to initiate proceedings against the Sheriffs to settle the matter, but were unsuccessful. A Bill of Indictment presented against the County Sheriff was thrown out by the grand jury of the County, and a similar fate at the hands of the City jury befell proceedings against the Sheriffs of the City. Ultimately an *ex-officio* information against Mr. Antrobus was filed by the Attorney General (then Sir John Campbell), and was tried at bar on 13th February, 1835, before the Chief Justice, Lord Denman and other judges. The new Attorney General (Sir F. Pollock) explained the object of the proceedings and related the history of the matter. Mr. Lloyd, the clerk of Assize, gave an account of the procedure and of the refusal of the Sheriffs to obey the warrants served upon them. He stated that before the Act of 1830 the executions took place at Boughton within the City of Chester, but that since then they had been carried out at the city gaol within the precincts of Chester Castle. The usual form of the warrant<sup>19</sup> before the Act recited the sentence before the Justice of Chester at the Sessions of the County, held in the Common Hall of Pleas, and was addressed to the City Sheriffs and to the Constable of

<sup>18</sup> R. v. Garside and Moseley, reported in 4 Nevile and Manning's Reports 33, 2 Adolphus and Ellis' Reports, 266.

<sup>19</sup> For an example see *Cheshire Sheaf*, Series I., Vol. III., 95-6.

the Castle, and was signed by the clerk of the Crown. The form used after the Act was similar except that the clerk signed as clerk of Assize and of the Crown. Evidence was also given of allowances by way of Sheriff's "cravings" made to former Sheriffs of the County for their expenses in gibbeting the bodies of criminals condemned to be hung in chains, in parts of the County outside the limits of the County of the City of Chester, the executions having taken place within the latter. Thus, in 1777, Peter Kyffen Heron, the County Sheriff, was allowed the expense of gibbeting Samuel Thorley at the West Heath, near Congleton, and in 1790 John Arden was repaid the cost of gibbeting John Dean at Stockport Moor. The Court stated that the question whose duty it was to execute could not be settled in those proceedings as the evidence shewed that the County Sheriff had not the custody of the prisoners or the means of obtaining it, and therefore he would not have been able to execute even if he were willing to do so. The proceedings were thus abortive.<sup>20</sup>

The position was still one of statement, and in view of the approaching Chester Assizes, it became most important to get over the difficulty at once. On 26th February, 1835, leave was given by the House of Commons<sup>21</sup> to Mr. Jervis and Lord Robert Grosvenor, the two city members, to bring in a bill which they had prepared to explain the Act of 1830 "so far as relates to the execution of criminals in the County of Chester." As introduced, the Bill recited that doubts had arisen

<sup>20</sup> Reported in 4 Nevile and Manning 565, 2 Adolphus and Ellis 788, 1 Harrison and Wollaston 96, and 6 Carrington and Payne 784.

<sup>21</sup> For the following facts see *The Mirror of Parliament*, 1835, Vol. I., 122, 146, 154, 174, 198, 233, 242, 273, 295, 317, 325, 451, 456; *Commons Journal*, 1835; *Hansard's Debates*, 2nd Ser., Vol. XXVI., 555 and 930, &c., *Times*, 5 Mar., 1835, &c.

whether the duty of execution ought to be performed by the Sheriffs or by the Constable of the Castle of Chester, and proceeded to impose it for the future upon the latter.<sup>22</sup> This was an entirely new suggestion and led to strong opposition when the Bill was considered in Committee. The Bill was explained to the House by Mr. Jervis, who had taken steps to get copies of the memorials to the Home Secretary to be laid before the House, but was unsuccessful in obtaining production of the opinions of the Law Officers.

The Bill was opposed by the Attorney General (Sir Frederick Pollock), who agreed that the Act of 1830 had thrown the liability to execute upon the County Sheriff, though that, he said, had not been the intention of its framers. He referred to the agreement come to in 1830, and, as he did not think it right to break faith with the gentlemen of the County, he could not consent to make the County Sheriff responsible. The Constable was himself a subordinate and removable officer and ought not to be given the superintendence of so solemn a ceremony. He therefore proposed an amendment definitely stating that the City Sheriffs were to execute as before. Sir John Campbell, the late Attorney General, disagreed with this proposal as he considered the County Sheriff had been made, and should still remain, responsible, as in every other County. The Solicitor General, Sir William Follett, pointed out that it was imperatively necessary that the matter should be settled by legislation before the next Chester Assizes in order to prevent the recurrence of the recent deplorable situation. He stated that the feeling between the City and County Sheriffs was so strong that both parties were prepared to disobey the Judge's orders again.

<sup>22</sup> For the Bill as introduced see *Legal Observer*, IX., 377.



The debate was continued by Mr. Daniel O'Connell, Mr. George Wilbraham (South Cheshire), and others. The Government supported the law officers and the Attorney General's amendments were carried by 115 to 55. The rest of the course of the Bill was uneventful until the third reading in the House of Lords, when the Marquess of Westminster urged that the Bill bore hardly on the City in regard to the heavy expenses attendant upon executions, and pointed out that while the County Sheriffs were reimbursed by means of the Sheriff's "cravings," there was no such fund available for those of the City. The Lord Chancellor, who referred to the near approach of the Chester Assizes, said no new charge was imposed on the City, and that the Corporation of Chester had spent in litigating the matter ten times the capital value of the whole expense they would incur under the Act. The Bill received the Royal assent on 20th March, 1835, as 5 and 6 Will. IV. c. 1. It recites that before the Act of 1830 the City Sheriffs were liable by law and used to execute the County criminals, but since the Act doubts were entertained whether they or the Sheriffs of the County ought to do execution, and proceeds to enact that the City Sheriff shall perform the task for the future under order of the Judge. In the case of any criminal ordered by the Judge to be executed at a place within the County but not within the jurisdiction of the City Sheriffs, the Sheriff of the County might be ordered to execute.

With the liability to execute thus plainly placed upon their shoulders the Sheriffs of the City allowed the matter to rest for more than thirty years, but in 1867 they succeeded in at last shifting the duty on to the Sheriff of the County. The Act 30 and 31 Victoria,

chapter 36, passed in July, 1867, enacts by section 4 that the Sheriff of the County of Chester shall execute all persons sentenced to death in the County, any statute, law, custom or usage to the contrary notwithstanding.<sup>23</sup> The Act of 1867 was repealed in 1878, except section 4 which appears to be still in force as governing executions by the Sheriff of Cheshire, apart from the Sheriffs' Act, 1887, which charges the execution of criminals condemned at the Assizes throughout the country generally upon the County Sheriff, and applies the general law relating to Sheriffs to the Counties Palatine.

#### ADDENDUM.

In 1866 Sir Horatio Lloyd (then Mr. Horatio Lloyd), the grandson of Mr. Lloyd the clerk of Assize of 1835 previously mentioned, was appointed Recorder of the city. In the following year, 1867, the new Recorder, being anxious that the City Sheriff should be relieved from the unpleasant duty of carrying out the death sentence on County criminals, approached the County Magistrates on the subject, who consented to a clause being inserted in a Government Bill then before Parliament with reference to executions in prisons, to enable the duty theretofore falling on the City Sheriff to be transferred to the County Sheriff. Unfortunately, however, this Government Bill was not proceeded with, but at the time the late Duke of Westminster (then Earl Grosvenor and senior member for the City) was piloting through Parliament a Bill enabling the City Quarter Sessions and the City Courts

<sup>23</sup> The Act 5 & 6 William IV. c. 1 was repealed by the Statute Law Revision Act 1874.

of Pentice and Portmote for five years to be held at Chester Castle, which was by statute situate in the County, instead of in the City, in consequence of the Town Hall having been destroyed by fire. This Bill, called the "City Courts' Bill," was also promoted by the new Recorder, and the clause intended for insertion in the Government Bill was transferred to the City Courts' Bill, and now forms section 4 of the Act.





## Some Early Deeds relating to Land on the North side of Eastgate Street, Chester

By R. MORTIMER MONTGOMERY, K.C.

*(Read 19th October, 1915).*



NUMBER of old deeds were brought to my notice last year, which relate to lands in which members of the family of Aldersey (well known at one time in the civic life of Chester) were interested. Besides original documents there are two old lists of deeds (on paper) relating to these lands, the earlier headed "Breviat of deeds concerning the heires of Mr. Aldersey"—to which a much later endorsement adds "as to premises in Hoole and Eastgate Chester"—the other merely described as "Catalogue of Mr. Aldersays Dedes &c." The former list, or "Breviat," was apparently compiled soon after the year 1607, the date of the latest deed mentioned in it. The deeds in this list, in so far as they are dated, are placed in chronological order. The latter list or "Catalogue" was compiled after 1637, one entry running, "a counterpte of Will Balls lease made 1616 for 21 yeares now expired." It was, I think, made not much later at any rate than the year 1654, as I judge from the spelling of the word "hould," a deed of 1652 being the latest of the deeds which has reached me, and in which that spelling is employed. In the catalogue



this spelling is used in translating Latin deeds. The writer of the catalouge therefore clearly himself used the spelling "hould," and did not merely copy from earlier documents. This paper is confined to matters relating to lands on the north side of Eastgate Street, where to-day runs a row called Eastgate Row (North) from the Cross nearly as far as St. Werburgh Street. This row has been known by several names: Pepper Alley Row, Baxter Row, 'The Country Bakers' Row,<sup>1</sup> 'The Dark Row, 'The Butter Shops Row.<sup>2</sup> In a roll of 1331 is found "Tenements in le Cokes rowe [the Cooks' row] extend in length from the Kings highway of Estgate strete up to the land of the Abbot" (Morris, *Chester, &c.*, p. 294). Baxter Row is only another form of Bakers' Row, and is the name used in the earliest documents with which we are concerned. The points of interest to which I would call attention are:

(1) That the documents relate to "ovens" or bake-houses, which suggests that for some reason the bakers in Chester in the fourteenth and fifteenth centuries congregated in this neighbourhood, that is between Eastgate Street and the Abbey;<sup>3</sup>

(2) Their bearing on the position and history of Godstall Lane,—not necessarily the existing Godstall Lane<sup>4</sup> for which the name was revived within, I think, my own recollection, but the ancient Godstall Lane

<sup>1</sup> See Morris' *Chester during the Plantagenet and Tudor Periods*, p. 422

<sup>2</sup> Mr. Philip H. Lawson gives me an entry in the Cheshire Chamberlain's Accounts (*Lancashire and Cheshire Record Society*, Vol. 59, pp. 73-5), under date 1303-4, Chamber Rents, 32 Edw. i., "Of John, son of Carbonel, for one shop which was Richard Lespicer's by the Buterscoppes, 12d." See also Morris, *op. cit.*, pp. 295 and 422.

<sup>3</sup> Cf. Henry Taylor's paper in this Society's *Journal*, Vol. II., N.S. p. 166.

<sup>4</sup> I am told that before being renamed this lane was known as "The London Bakers' Backside" [i.e. yard], and later as Booth's Court.

which ran from Eastgate Street to the Abbey Church;

(3) That towards the end of the sixteenth century it was obviously fashionable for a wealthy merchant like Mr. William Aldersey to live in the heart of the city, his "Great House" being in "The Dark Row"—somewhere near the Cross, I think, perhaps the present Inn called the Boot Inn<sup>5</sup>;

(4) The very small circle of persons, practically all connected with the Corporation, who appear not only as parties but as witnesses to the various deeds.

I deal first with the deeds which relate to bakehouses, then with those which bear on Godstall Lane; but some deeds bear upon both points.

We have notes of three early documents referring apparently to bakehouses. The first is undated but stands first in the "Breviat." The note is "A deed without date to William Madewell, Baker, of land in Eastgate St." Of the two dated deeds the earlier is noted as "A release dated feaste of St. Marke [25th April] 1317 a.d. of the moyetie of an oven<sup>6</sup> in Eastgate Street to Richard Russell<sup>7</sup> & his heires." The next deed in order of date was written on August 24, 1389, being dated "St. Bartholomew's day 13 Ric. 2." We have in the "Breviat" both an abstract in English and the original Latin deed. It is a perpetual lease at fee

<sup>5</sup> The later deeds which deal with the "Great House" are not printed here.

<sup>6</sup> The original of "oven" is no doubt *furnus*, which to-day we translate "bakehouse."

<sup>7</sup> Richard Russell was sheriff in 1312, 1315 and 1322; and mayor (by succession) in 1324. He was in 1307 one of a jury summoned to enquire what custom was due at each gate of the city (Hemingway's *History of Chester*, Vol. I., p. 133). One Daniell Russell was sheriff in 1334 and 1336. I refer later to a document of 1403, which is in the Record Office, relating to Baxter Row, in which land of a Henry Russell is mentioned.

farm rent of 12/- per annum, and the abstract describes it as

"A deed dated 13 Ric. 2 from Robert of Brockton to William Hadde<sup>8</sup> of a tenement in Baxter rowe extending in length from the highe street to the land of William of Hulfeild, and in breadth between the land of William of Hulfeild and the land of Peter the Singer vintner of the other parte To hould to the said William Hadde his heires & as<sup>s</sup> rendring xii<sup>d</sup> [the original is 12/-] yearly rent."

Omitting conveyancing words the original deed may be translated as follows :—

"Let - - know that I Robert de Brockton have - - granted - - to William Hadde baker and citizen of the City of Chester one tenement in le Baxter rowe which tenement extends in length from the King's highway aforesaid [*a regia strata predicta*] up to the land of William de Hulfeld cooper [? tenant] in chief [*coup in capite*] and extends in breadth between the land of the said William de Hulfeld cooper [*coup*] & the land of John le Synggeyr Vynter' on the other side - - at perpetual fee farm rent - - with free ingress & egress to the said tenement from the King's highway aforesaid - - paying therefor annually to the said Robert de brokton his heirs & assigns twelve shillings of silver at the four terms of the year - - [then comes a covenant of re-entry in case of waste other than by improvements] - - witnesses John le Armerer then mayor of Chester, Thomas Hurrell & John de Harw the sheriffs of Chester, John le Chambleyn, Roger Ernes, Robert le Marchall, Thomas Donne, Robert Coly, John de Preston & others. Dated at Chester on the feast of St. Bartholomew the apostle [24th August] in the thirteenth year of King Richard the second after the Conquest of England."

A seal is attached in white wax impressed with a capital letter, I think R, and some slight device on each side of it, perhaps a head of wheat on the left side. There are two endorsements of later date than the deed, one being

<sup>8</sup> See Will Had or Hadde, Baxt', Morris, *op. cit.*, p. 456 (Fines at Assize of Bread).

*Carta tenement in quo Willms Hadde manet in le Baxter row*, and the other an endorsement which occurs on six of these deeds (the other five being of date 1396, 1413, 1510, 1573, 1610) "22<sup>o</sup> die Janii Ao dni 1641 shewed to witness on the behalf of W<sup>m</sup> Mostyn ag<sup>t</sup> Richard Wmson [Signed] G. Byrom, John Jones."<sup>9</sup>

Brokton is an early form of Broughton. Robert del Broughton was sheriff in 1372 (17 years before this deed). A Roger de Broughton was sheriff in 1330. Wm. de Hulfeld is described as *coup in capite*.<sup>10</sup> I find from an Inquisition *post mortem* of 1399 (in Record Office) that a Roger de Hulfeld held land in Chester as tenant *in capite* from King Richard, and I think the *in capite* in the deed must mean tenant in chief, although the word *tenentem* is not used. John the Singer, vintner, is a notable name and description; apparently "the Singer" has already become a surname and vintner is his actual occupation. Of the witnesses the name of the second sheriff, John de Harw, is commonly given as John de Arrow, Arrowe being the name of a township in Wirral. Of the other witnesses, John le Chambleyn may be a son of the John Chamberlain who was sheriff of Chester in 1366 and mayor in 1379, 1384 and 1385 (when he died during his year of office). Roger Ernes was no doubt a descendant of Robert Ernes, sheriff of Chester in 1280, 1281, 1286, 1287 and 1291; and a relative of Richard Ernes, sheriff in 1325 and 1326 and mayor in 1327 and 1328, and of

<sup>9</sup> The deed of 1610 is not printed here. Perhaps John Jones is too common a name to make guessing at his identity useful, but a "John Jones gent," no doubt an attorney, was Town Clerk and Clerk of the Pentice in 1648, and it may be that in 1648 an action was proceeding in the Portmote Court.

<sup>10</sup> For a reference to Willelmus de Hulfeld couper see Morris, *op. cit.*, p. 405.



whom and whose grandson and heir John Ernes you will hear again.<sup>11</sup> Robert le Marchall was sheriff in 1373. Thomas Donne was sheriff in 1369; I suppose he was a relative of Richard Donne appointed Constable of Chester for one year on July 4, 1351 (25 Edw. iii.), and of Henry Done, sheriff in 1360, appointed Constable on April 6, 1364 (38 Edw. iii.), and possibly belonged to the same family as a William Dun (chaplain) of whom a deed makes mention in 1528. One Richard Done was sheriff in 1516, and "the heirs of Ralph Donne of Brouton" are mentioned in a deed of 1525 relating to Bridge Street. Robert Coly (or Collie) was sheriff in 1371, 1375 and 1381, and one John Collie sheriff in 1356, 1358 and 1363. Land in Baxter Row "formerly belonging to Richard Colly" is mentioned in a subsequent deed of 1501, and land in Baxter Row belonging to Robert Coly is mentioned in a deed (in Record Office) of 1403. John of Preston was sheriff in 1382 and 1392 and mayor in 1404.

I introduce here a document of 1403 in Norman French (fourteen years later in date than the deed just set out) which is to be found in the Record Office [Chester 2. 76]. It is a petition to the Prince of Wales to grant to William Leggesley, Warden [*gardein*] of the Friars Minors [*ffriers meno's*] of Chester and the convent [*covent*] of the same place, special licence that William Tewkesbury, Chaplain, can grant to Roger Potter, then mayor of the Citee of Cestre, and his successors, to the use and profit of the said warden and convent, an annual rent of x<sup>s</sup>:—

"from three messuages [*des trois meese*] which the said William Tewkesbury had of the gift & feofment of John

<sup>11</sup> See Mr. Fergusson Irvine's paper on Erneys' deeds in this Society's *Journal*, Vol. X., N.S.

Chamblein of Chester lying in Baxterrowe in Estgate Strete the one lying in breadth between the land sometime Henry Russells & the land sometime Richard Bruyns on the one part & the land sometime John Stokes of Rochelan (?) & the land late of Agnes of Worthynton on the other part, lying in length from the land sometime of the said John Chamblein up to the Churchyard of the church of S<sup>t</sup> Werbur of Chester & the other messuage [*mees*] lying in the said Baxterrowe in breadth between the land lately of the said John Chamblein on the one part & the land of John Harrysone le Bruyn & the lands of Otes of Worthynton on the other part & in length from the land of Robert Coly up to the bakehouse [*furne*] which Thomas Cole, Baxter [i.e. baker], now occupies [*ore vient*], and the third messuage lying in Bruggestrete of the said Citee in breadth between the high strete called Bruggestrete on the one part & the highway [*chymyn*] which extends to the gate called Capelyate<sup>12</sup> on the other part & in length from the said King's highway [*Roial chymyn*] up to the wall of the gate of the said Bruggestrete."<sup>13</sup>

The gift to the friars minors is made for prayers "for the souls of the said John Chamb'lein and Agnes his wife, parents of Rob't Chamb'lein son and heir of John Chamb'lein." The prince of Wales apparently granted his licence for this gift to mortmain on July 8, 1403.

We find next a note of a deed of 1413:—

"A deed dated 1<sup>o</sup> Hen. 5 From Richard the sonne of Raphe of Hatton (?) and heire of Hen. Russell to Rob't the Chamberlaine of a place of land in Baxter rowe upon wch an oven was formerly built in the Estgate Street And of his tenements there wch lately were Thomas of Derbys."<sup>14</sup>

<sup>12</sup> As to the Capelgate or Horses gate [capel=cheval] see *Cheshire Proverbs*, by Joseph C. Bridge (Phillipson & Golder, 1917), note to Proverb 216.

<sup>13</sup> This document is summarised without the boundaries and without any reference to Bridge Street in Morris, *op. cit.*, p. 145.

<sup>14</sup> A Robert of Derby [Rob's de Derby], a *baker*, was fined 5s. (apparently for selling bread of wrong weight) on the feast of Pentecost, 34 Edw. iii. [i.e. 1360]. See Morris, *op. cit.*, p. 455.

In the same year 1413 (Wednesday before November 16), there is another deed which appears to deal with the same lands. Of this we have a note in English and also the original Latin deed. The note is useful as confirming the deciphering of the deed, which has been injured by mice. Translating the deed except formal words and parts, certain words being completed from the note we have:—

“Let - - know that I Thomas of Derby of Shropshire [*de Solopia*] have - - granted & - - confirm to Robert le Chaumbleyn citizen of Chester a certain vacant plot of land [*vacuam placeam terre*] in le Baxter rowe in Eastgate strete of the City of Chester on which a certain bakehouse [*furnus*] was lately built [*nuper edificabatur*] lying in breadth between land formerly belonging to Hugh le Mercer on the one side & land formerly belonging to Adam le Browster [*terram quondam Ade le Browster*] on the other side & in length extending from land formerly belonging to Agnes de Brumburgh on the one side up to the church yard of St. Werburgh of Chester. Also have - - granted to the same Robert my tenement in le Baxter rowe lying in breadth between land formerly belonging to Thomas de Carleton on the one side & land formerly belonging to Agnes de Brumburgh on the other side & in length extending from land formerly belonging to Richard de Fouleshurst on the one side up to land formerly belonging to Richard Russell - - - witnesses John de Whitemore then mayor of the City of Chester, John del Hope & Richard le Spycer then sheriffs of the same City and many others. Dated at Chester on Wednesday next before the feast of St. Edmund the Bishop [November 16] in the first year of the reign of King Henry the fifth after the conquest.”

To this is still attached a fine seal in red wax. There are two endorsements on the deed, the first: “Place & tenent<sup>a</sup> from Tho. Derby to Robt Chamb’leyn”; the other, the endorsement which occurs on six of these

deeds: "Shewed to witnesses on the behalf of W<sup>m</sup> Mostyn ag<sup>t</sup> Richard Willmson [Signed] G. Byrom; John Jones."<sup>15</sup>

The tenements which in the second portion of this deed Thomas of Derby calls "mytenements in the Baxter rowe" are apparently the same tenements as are referred to in a document from which Canon Morris quotes at page 292 of his work on Chester under date 4 Edw. iii. [i.e. 1331]. He gives the quotation in Latin, but I may translate:—

"Tenements in le Baxter rowe which lie between land belonging to T. de Carleton & land belonging to Agnes de Brumburgh, and extend in length from land belonging to Richard de Fouleshurst in Eastgate Strete up to my land & land belonging to the said Richard de Fouleshurst near the churchyard [*cimiterium*] of S. Werburge."

Now we come to Godstall Lane. The earliest description of Eastgate Street with which I am acquainted occurs in a survey made in the reign of Edward III. (1327 to 1377). It is cited by Canon Morris, at page 255:—

"In Estgate Strete:

On the northe syde of the saide strete is a layne that goithe out of the saide strete by the mease<sup>16</sup> [message]

<sup>15</sup> Agnes of Brumburgh, or Brumborough, or Brumbridge, or Brumbrough, was perhaps daughter of Edward and Agnes Chamberlain, and wife of Wm. de Brumbridge, mentioned in an undated deed which I place about 1380 and with which I deal later on. A Richard de Fouleshurst was Constable of Chester in 1348 (22 Edw. iii.), [see Ormerod's *History of Cheshire*, 2nd Ed., Vol. I., p. 223], and on 4th June, 1485 (1 Edw. v.), and again in 1487 (2 Ric. iii.), a Thomas Fouleshurst Esqre. was appointed Constable for life. John Whytemore or Whitmore was mayor from 1412 to 1415. John del Hope or John Hope was sheriff from 1411 to 1414, and mayor from 1419 to 1421 and from 1424 to 1426. Robert de Hope was appointed deputy clerk and approver of the Mills of the Dee, on the 23rd October, 1409 (11 Hen. iv.), [see Ormerod, *loc. cit.*] Richard le Spycer or Spicer was sheriff in 1413 and 1416; an earlier Richard le Spicer was sheriff in 1269 and 1274.

<sup>16</sup> Mease, or meese, is an old word for a dwellinghouse. See *Standard Dictionary of the English Language* (Funk & Wagnalls). Message is from Low Latin *mansionaticum*.



side late William Stanmer, and so to the Kirke yorde of Sante Oswaldes caulyd Leen Lane, and benethe it upon the same syde nere the Estgate is a layne caulyd Sant Goddestall Lane, and so goithe out of the saide strete into the said church yarde. This Goddstall lieth buried within the Abbay Church in Chester, and he was an Emperoure and a vertuose disposed man in his lyvyng, and his lane lyethe betwene the mease some tymes of Robert Chamberleyne<sup>17</sup> and the mease lat in tholdinge of William Humfrey, and uppon the syde nere the Estgate ther ys a lane caulyd Saint Werburge Lane and it shontythe into the forsaide church yarde, and over anendes this lane on the other syde ys a Lane caulyd ffleshmongers Lane [now Newgate Street] and it puttethe upon Peper strete."

This passage forms a very good starting point for the perusal of our documents, and I call attention at once to the fact that whereas Hemingway believed that Godstall Lane adjoined the Eastgate, it seems clear from this survey that going from the Cross towards the Eastgate the order of the side streets on the north side was: (1) Leen Lane, (2) Godstall Lane, (3) St. Werburgh Lane. The phrase "nere the Estgate," which occurs twice in the survey, seems clearly to be used in the sense of "nearer the Eastgate."

Our documents begin with a note in the Breviat of a deed of 1351:—

"A grant from Alice the daughter of Roger the Harper<sup>18</sup> of a certain place [i.e. plot] of land in Baxter rowe to John the Chamblaine & his heires dat 25 Edw. 3."

The deed which I think must come next in order of date amongst our documents is one of which we have only a Latin note. The note is No. 1 in the Catalouge

<sup>17</sup> This R. Chamberlain is perhaps the person referred to in an entry in the Cheshire Chamberlain's Accounts for 1303-4 (32 Edw. i.). "Of Robert Chamberlain [Camerarins] for one garden on le Croftes 12d. . . . and for his liberty in Chester 2d."

<sup>18</sup> Roger le Harpur was elected Sheriff in 1331.

and I am inclined to date the original about 1380.

“Grant from Edward Chamberlain [*Edro Camar*] citizen of Chester & Agnes his wife to William de Brumbridge in frankmarriage of certain land in Eastgate Stree in Chester aforesaid with all buildings namely in length & breadth between lands which belong to Margaret wife of Hugh of Coventry on the one part & the land of Sir Fulc de Ereby [*dni Fulton de Ereby*] which the Welshman the baker [or perhaps ‘the Welsh baker’—*Bretn’us pistor*] [occupies ?] which he holds from the said Fulc [Fulton] on the other part [*exaltero*]”<sup>19</sup>

The next deed to which I desire to call attention is a deed of 1396, dated Monday after the Feast of St. Chad [March 2]. Of this we have a note in English and, fortunately, the original Latin deed. The note says:—

“A deed between John Chamblaine concerning an oven in the Eastgate Street dat 20 Ric. 2.”

The deed is a “Fine,” or collusive action settled by final agreement, in the Portmote Court, not like the deed of 1389 which is merely a declaratory writing in the nature of a charter.

“This indenture made between John Erneys citizen of Chester of the one part & John Chaumbleyn citizen of Chester of the other part witnesseth That when plea had been summoned in the Portmote of Chester held at Chester on Monday next after the festival of St. Chad the Bishop in the twentieth year of the reign of King Richard the second after the conquest [1396] before John de Capunhurst then mayor of the City of Chester Between the said John Erneys, plaintiff, & the said John Chaumbleyn deforceant [i.e. defendant in an ejectment suit] on the plea that the said John Chaumbleyn

<sup>19</sup> This note is not carefully made and I entertain some doubt if Edward Chamberlain is not an error for John Chamberlain. I think Fulton must be an error for Fulcon. A Willielmus de Bromburgh was rector of St. Olave’s Church, Chester, in 1377 (Hemingway, *op. cit.*, Vol. II., p. 127). A W. Brumbridge (also called Will Brombrough) is party to deeds of 1534 of which there are short notes (Morris, *op. cit.* pp. 188 and 337).

unjustly deforced [ejected] the said John Erneys from one bakehouse [*furnum*] - - in Estgate Strete of the said City which bakehouse - - extends in length from the land of John son of Henry le Bryn up to a certain lane which leads from Estgate Strete aforesaid up to the churchyard of the Monastery of St. Werburge of Chester close to the dwellinghouse of the vicar of the Church of St. Oswald of the said City which said lane is called Hulone & lies close to the said churchyard & contains in breadth twenty feet clear [*viginti pedes palpato*], of which bakehouse Richard Erneys grandfather of the said John Erneys whose heir he is was seized in his demense as of fee on the day on which he died. In which Portmote - - it is agreed between the said parties that the said John Chaumbleyn hath acknowledged the said bakehouse - - to be the right of him John Erneys according as he asserted by his said bill, for which - - agreement the said John Erneys has - - granted to the said John Chaumbleyn the said bakehouse - - To - - Hold - - for ever - - Paying therefor yearly to the said John Erneys his heirs & assigns five shillings of silver at the four terms usual in the said City namely [the still usual quarter days] by equal portions - - witnesses John de Capenhurst then mayor of the City of Chester, John de Madelegh & William de Hethe then sheriffs of the said City, Robert le Marchall, Roger de Dytton, Robert Danyell, Raph de Hatton, John de Bebynton, Robert Coly, John de Prestoun, William de Bradburn & Thomas Hurell, Gilbert le Belleyet<sup>r</sup> [Belleyeter] & many others Dated at Chester on Monday next after the feast of St. Edward King & Martyr in the twentieth year of - - King Richard the second - - .”

A large seal is attached, but to me the device upon it is illegible. There are two endorsements of different date on the deed, the first:—

“A seile of An hoons rich<sup>d</sup> Ernys q’rent [i.e. suing]  
Jo Chmblen, Estgate Stete”;

the other:

“22<sup>o</sup> die Jañui Anno dñi 1641 Shewed to witnesses on

the behalf of Wm. Mostyn agt Richard Willimson  
[Signed] G. Byrom; John Jones.”<sup>20</sup>

A lane is here spoken of as running from Eastgate Street to the churchyard and is called Hulone, that is, I suppose, Hugh Lane; It must be either Godstall Lane or Leen Lane. If it is Godstall Lane, the explanation might be that it ran over land belonging to Hugh le Mercer (see deed of 1431 *ante*). Possibly Hugh le Mercer may have been the same person as Hugh of Coventry whose wife Margaret was named in the undated deed which I have placed about 1380. If Hulone were Leen Lane, the explanation would be found in an extract sent to me by Mr. Philip H. Lawson, from the Cheshire Chamberlain's Accounts printed by the Lancashire and Cheshire Record Society, Vol. LIX., pp.73-5, where under date 1303-4 there appears among the Chamber Rent, 31 Edw. i., the entry:

“Of William del Flynt & Geoffrey de Meules for  
a moiety of the land which was Hugh Leens 8d.”<sup>21</sup>

<sup>20</sup> John of Capenhurst was mayor from 1395 to 1399. The names of the sheriffs seem usually to be spelled John Madeley and William Heath respectively. Roger of Dytton was sheriff in 1382, 1394 and 1395. Of Robert Danyell I know nothing unless he was a relative of Nicholas Daniel, mayor in 1439, 1443, 1444, 1445 and 1453. Ralph de Hatton was sheriff in 1379 and 1390. One John de Hatton was appointed common clerk of Chester and Keeper of the Seal of the Statute Merchant, on 30th March, 1393 (17 Ric. ii.) (see Ormerod, *op. cit.*, 2nd Ed., Vol. I., p. 223). John of Bebington was sheriff in 1379 and 1390, and mayor in 1400. William of Bradeburne or Bradburn was sheriff in 1374. Gilbert de Belleyear is evidently the Gilbert de Billiter who was sheriff in 1380. One Alexander Belleter was sheriff in 1356 and mayor in 1373, whose name is also spelt Bellezetere [? Belleyetere] (see Ormerod, *op. cit.*, 2nd Ed., Vol. I., p. 209, note). One Stephen Bellester was sheriff in 1419. A Richard Bruin junr. was mayor in 1374. Richard Bruin senr. had been mayor in 1349 (by succession), 1353, 1354, 1367 and 1368; and another Richard le Bryne was in 1307 one of a jury who enquired what custom was due at every gate of the city (Hemingway, *op. cit.*, Vol. I., p. 133), probably the same person as was sheriff in 1318, and mayor in 1325 and 1326. A Richard Bruyne of Bridgenorth is mentioned in a deed of 1502 (*post*).

<sup>21</sup> This extract makes it probable that the name Leen Lane is derived from the owner of the land over which the lane ran.



After an interval of nearly ninety years come notes of two deeds of 1501 and 1502 relating to land in Baxter Row, perhaps the same land as was dealt with in the deed of 1389. The note—No. 2 of the Catalouge—is almost entirely in Latin. I translate:—

“A release of W. Moore heire of Chamberlain of a house & parcell of land in Baxter Row in Eastgate Street Chester Dat 17 H. 7 [1501] lying in length from the King's highway aforesaid [*a regia strata predicta*]<sup>22</sup> up to a certain garden in the tenure of Richard Godman Esquire & formerly parcel of the churchyard of St. Werburge on the east side [? north] & extends in breadth between [the tenement ?] of the said William Moore then in the holding of Raph Poole geoldsmith on the west side & a certain lane [*venellam*] called Godstalles Laine which said laine lies between the said tenement & the land of the lord prince formerly Richard Colly's & was seized unto the hands of the said prince [i.e. of Wales as Earl of Chester] by reason of alienation to mortmain. This release was made by [? to] R. Hockenhull.”<sup>23</sup>

The deed of the next year (1502) is mentioned only in a note—No. 6 of the Catalouge—which, written partly in English and partly in Latin, translates:—

“A release w<sup>th</sup> warrantie from W. Weyne to Rich. Hockenhull of a certain tenement in Baxter Row in Chester Dat 18 H. 7<sup>o</sup> [1502].”

This is the same land mentioned in No. 2 [i.e. the previous deed of 1501] and just so bounded. Here is contained likewise in this release a parcel of land which should likewise have been taken notice of in No. 2.

<sup>22</sup> The maker of the abstract on two occasions translates *regia strata*, “high street.”

<sup>23</sup> Richard Godman or Goodman, made freeman in 1491, was sheriff in 1492, and mayor in 1498 and 1503. A John Colly was sheriff in 1358 and 1363. A Robert Collie, sheriff in 1373, was a witness to the deed of 1389 *ante*. On 6th July, 1509 (1 Hen. viii.), a Wm. Poole, “one of the grooms of our most honourable guard,” was appointed one of the clerks of Mills of the Dee (Ormerod, *op. cit.*, 2nd Ed., Vol. I., p. 223).

"Tis mençoed [mentioned] to lye at the end of the said land of the said lord the prince [*dni principis*] & extends in length from the said land of our said [these two words in English] lord the prince up to the said churchyard of St. Werburge forty two royal rods [*virgat regias*] and lies in breadth between the said lane [i.e. Godstall Lane] on the west side [*ex pte occidentali*] and land of William Norris, Knight, then in the holding of Henry Furb's & land lately belonging to Richard Bruyne of Bridgenorth on the east side [*ex pte orientali*]."

It is clear from these deeds that Godstall Lane existed as a lane in 1501 and 1502. From a deed of 1573 we shall find that before 1573 it became disused and it was, I think, subsequently built upon; but these deeds bear also upon its position. Its site has been matter of dispute; clearly it did not adjoin the Walls but was further west, that is nearer the Cross, as the land formerly belonging to Richard Colly lay to the east of it. Further than this, the land of which the eastern boundary is given as Godstall Lane in the deed of 1501 is described as being "in Baxter Row." All available evidence appears to point to the conclusion that Baxter Row extended only from the Cross to St. Werburgh Street, and, if so, Godstall Lane must have been between the Cross and St. Werburgh Street, that is, to the west of St. Werburgh Street. This conclusion, moreover, seems the only possible one in view of the survey of Edward III's reign with which we began. The site of St. Werburgh Street appears to have remained the same since the days of Edward III., though the street was widened on the east side within the last twenty or thirty years. What is wanted in order to decide finally the exact position of the ancient Godstall Lane is a collection of all documents relating to Baxter Row and setting out the boundaries of the

land. My own conclusion is that the present Godstall Lane is exactly upon the site of the ancient Godstall Lane, except that the ancient lane probably ran *under* Baxter Row to Eastgate Street.

In 1510 the ownership of the little strip of land, said in the deed of 1396 to be twenty feet wide, was in dispute. A note in the Breviat calls the document

“A survey memorand dat 2 Hen. 8 [1510] that a pcell of wast ground lying on the north side of a mease place of the Abbott of St. Werburgh did belong to Rich. Hockenhall and not to the said Abbott. The tenants houlding [the deed has ‘holding’] the said mease place of the said Abbott for xii<sup>d</sup> a yeare at the will of the said Rich<sup>d</sup> Hockenhall.”

The document itself is of great interest as it gives a form of procedure for the determination of disputes as to land boundaries which cannot, I think, be widely known. It shows the great importance of having many and reliable witnesses present upon a conveyance of land. The document is also interesting as being by far the oldest formal document, amongst those which have come into my hands, which is written in English and not in Latin.

“Memo<sup>d</sup> that the secunde of the reigne of Kyng Henry the eghte Then being maire of the Citie of Chester, Richarde Wright Drap [draper] Thomas Croke Richarde Brewster shireffs of the same, John, Abbott of the Monastre of Saynt Werburge made clayme & title to a pcell of voyde grounde lying on the Northende of a mease place of the said Abbott in the Estegatestrete of the said Citie then in the holding of Rob'te Barrowe and late in the holding of Willm̄ Humfrey which voyde ground conteynithe foure yards a qrt [quarter] and Di [demi = half, i.e. a half-quarter] and in breide six yards & Di. Whereupon examinaçon was hadde and made by the saide maire Shireffs Rauff Birkened Recorder of the saide Citie

Thomas Barrowe Thomas Suythe Richardo godeman Richard Wirehall, Alderman, Rob'te Barrow Ric' Grosvenor Will'm Deson Robte Golbrone Richarde fletcher late shireff of the said Citie and mony other being p'sent at the saide grounde and by theȝm Determyne & Discussed that the said voyde grounde of righte appteyne and DyD belonge unto Richarde hokenhull baker as pcell of those lands which the saide Richarde hath p'chesed [evidently in 1501 and 1502] of Willm More gent and not unto the saide abbote. Which voyde grounde the said Richard hokenhull ev<sup>r</sup> sithe' [ever since—sithens] the saide examinacon & view &c thereof made and hadde hathe Dymysed unto the said Rob'te Barrow and other beyng ten'nts and holdyng the saide mease place of the saide abbott for xii<sup>d</sup> by yere at the wyll of the said Richarde hokenhull." <sup>24</sup>

Then comes the endorsement :

"22<sup>o</sup> die Janui Anno Dni 1641 Shewed to wittnesses on the behalf of Wm. Mostyn & others agt Richard Willia'son [Signed] G. Byrom, John Jones."

Next we have notes of five deeds and an original bond, dated in 1528 and 1529, which introduce the Aldersey family to the properties with which we have been dealing. The first note is

"An Indenture dated 6 Sept 20 Hen 8 [1528] whereby Richard Hokenhull for 80<sup>li</sup> doth give grant & confirm to Robert Wall & Eliz. his wife All his mess. tent<sup>a</sup> land tent<sup>a</sup>

<sup>24</sup> See Morris, *op. cit.*, p. 133. The Abbot was John Birchenshaw (see *History of Chester*, 1815, p. 36). Ralph Birkenhead, the first Recorder of Chester, was appointed in 1506. Thomas Barrow, mercer, was mayor in 1506. Thomas Smith, senior, was mayor in 1504; Thomas Smith (whether senior or junior I do not know), mayor in 1511. Richard Goodman was mayor in 1498 and 1503. Richard Wirrall (here spelled Wirehall), glover, was mayor in 1495 and 1507. Richard Barrow, mercer, was sheriff in 1506. I suppose Robert Golbrone is the R. Goulbourne, draper, who was sheriff in 1507 and mayor in 1524. Richard fletcher was sheriff in 1498. The William Humfrey of this deed was probably the Wm. Humfrey made free of the city on the 18th April, 1475 [information from Mr. Lawson], and I suppose the holding of land in this neighbourhood by a person of the same name as mentioned in the survey of Edward III's reign may be merely accidental.



shopps houses sellers & buildings - - in the Cittie of Chester lying in the Eastgate street in length from the Eastgate street to St. Werburgh's church yard and in breadth between the mess of the Abbot and Convent then late in the tenure of Hugh Aldersey on the east parte and a mess' then in the tenure of Rauffe Pole upon the west parte To hould to the said Rob't Wall & Elizabeth and the longest liver of them rem'nder to the heirs of the body of the s<sup>d</sup> Rob't by the s<sup>d</sup> Eliz. reṁder to such brother or sister of the s<sup>d</sup> Eliz. as should pay to the s<sup>d</sup> Rob't 80<sup>li</sup> in fee, reṁder for default of payment of the s<sup>d</sup> 80<sup>li</sup> to the said Robt Wall & his heirs for ever."<sup>25</sup>

The second note runs:—

"A deed dated 19<sup>o</sup> Sept 20 Hen 8 [1528] From Rob't Wall of a mess' land & tenem<sup>t</sup>s in Eastgate Street to Hugh Aldersey & his heirs."

Upon the same date (Sept. 19, 1528) was executed a bond for the performance of covenants [apparently for quiet enjoyment, etc.], of which we have the original. From this we learn that Robert Wall was a baker, and that a William Wall was a chaplain. Hugh Aldersey is described as a merchant. I translate the first part of the bond: the second part or condition is as usual in English:—

"Let - - know that we Robert Wall of Chester baker [word in English] Willm̄ Duñ and Willm̄ Wall chaplains - - are bound to Hugh Aldersey of Chester merchaunt [English] in 200 marks to be paid - - on the feast of All Saints next - - Sealed dated xix<sup>o</sup> [die Septemb]ris Anno regni Regis Henrici octavi post conquestū Anglie vicesimo. The condiçon of this [oblig]açon is - - performe all and ev'y the - - covnts - - as upon the ptie of the seid Rob't - - specfied and conteigned in a payr of endentures of sale & bargan bytwene the seid Rob't upon the on [one]

<sup>25</sup> The maiden name of Hugh Aldersey's mother was Hockenhull [information from Mr. Lawson]. Rauffe Pole is apparently the "Raph Poole geoldsmith" of the deed of 1501, which seems to identify the land with the land in the 1501 deed.

partie And the Above namyd Hugh opon the other partie co'fect [confect] & made - - dat the xix day of Septembre in the xx<sup>tith</sup> yeare of King Henry the e'gth - - ." <sup>26</sup>

The note of the third deed of 1528 is

"A deed dated 20 October 20 Hen. 8 whereby Rob't Wall & Eliz his wife do give grant and confirme to Hughe Aldersey & his heires all their mess lands tenem<sup>ts</sup> rents reversions and services - - in the Cittie of Chester w<sup>ch</sup> they had of the guift & feofment of Richard Hockenhall To hould to the said Hughe & his heires for ever."

The fourth note is

"A Release dated 13 decembr 20 Hen. 8 [1528] whereby William Rathebone heir to Rich Hockenhall doth release Hu: Aldersey concerning certaine legacies to him left by the will of Rich Hockenhall And alsoe thereby doth release to the s<sup>d</sup> Hughe Aldersey All his right to a mess & ten<sup>to</sup> [messuage and tenement] in the Eastgate Street." <sup>27</sup>

The fifth note runs

"A fine and Recovery upon a writt of right betweene Hughe Aldersey p<sup>lt</sup> [plaintiff] and Robte Wall def [defendant] of one mess &c in the Cittie of Chester 21<sup>o</sup> Hen. 8 [1529]."

The next deed relating to land in Eastgate Street of which we have a note is of date 1549 and relates also to some other land, opposite the existing pumping station of the Chester waterworks, which is still called Earl's Eye on the Ordnance Survey of 1899. The note says:—

"An Indenture dated 26 Aug. 3 Edw 6 [1549] whereby S<sup>r</sup> W<sup>m</sup> Norres doth demise to Tho Bellyn a mess with thapp<sup>r</sup>tn'ncs in Eastgate street and two Kye grasse<sup>28</sup> in

<sup>26</sup> The William Dunn here mentioned is party to a bond, in the year 1529, relating to land in Dee Lane, Chester. One Randal Done, skinner, was sheriff in 1516.

<sup>27</sup> John Rathbone was sheriff in 1500 and naylor in 1514 and 1519. A Richard Rathbone was sheriff in 1547, and a Richard Rathbone mayor in 1598.

<sup>28</sup> i.e. grass for two cows. Canon Morris, p. 302, date 1586 [the Roodde], "to be lett to the poor at the rate of x<sup>s</sup> a cow grasse and not above 40 Key to be layd."

the yo'les Ees [Yorl's Eyes] neare the said Cittie of Chester for 21 yeares from Mich'as then next ensuing." <sup>29</sup> Then there is a note of a deed of 1552 which conveys land in places other than Eastgate Street as well as land in Eastgate Street. It is

"A deed 25 Martii 6 Edw. 6 [1552] whereby Rauffe Aldersey doth give grant and confirme unto Hughe Aldersey his sonne & heire appar<sup>t</sup> one mess &c with thapp'ttenncs in Eastgate street Another mess & tenem<sup>t</sup> in Eccleston in the countie of Chester and the lands thereto belonging And also two clausures of land in Eccleston then in the occupaçon of the said Rauffe And all that other clausure purchased by S<sup>r</sup> W<sup>m</sup> Norres lying in Handbridge in the lib'ties of the Cittie of Chester To hould from & after the death of the said Rauffe to the said Hughe and his heires for ever." <sup>30</sup>

A couple of months later comes a deed of which we have the following note:—

"A deed dated 14th Maii 6 Edw. 6 [1552] whereby S<sup>r</sup> Will'm Norres for 42<sup>li</sup> 6<sup>s</sup> 8<sup>d</sup> doth give grant & confirme unto Rauffe Aldersey all that mess scituate in the Eastgate Street with all houses &c thereunto belonging extending in length from the Eastgate Street upon the south pte to a garden belonging to the dwelling house of Eliz Davyson widdow upon the North pte and in breadth betweene a certain house or burgage of the Kinge in the tenure of Ed. Tomson merchant on the east pte and a certain mess of the lands of the Cathedrall Church of Christ and the blessed virgin Mary on the west parte And also one garden lying within the s<sup>d</sup> Cittie in the tenure of W<sup>m</sup> Snead And containing in length 26 yards & halfe and in one place 10 yards in breadth and in another 5 yards in breadth and lyes in breadth betweene a garden or pcell of land of the said Cathedral Church upon the North pte then in the tenure of W<sup>m</sup> Snead and the land of S<sup>t</sup> George the Martyr in the tenure of the said W<sup>m</sup> Snead and the

<sup>29</sup> Tho. Bellin, mercer, was sheriff in 1556 and mayor in 1577.

<sup>30</sup> The land in Handbridge was "Grymesditches hay," relating to which we have notes of other deeds,

house of the said Rauffe Aldersey on the South pte and extends in length aga<sup>t</sup> a certaine house of the s<sup>d</sup> S<sup>t</sup> George the Martyr in the tenure of the said W<sup>m</sup> Snead on the west pte and a little pcell of land of the s<sup>d</sup> Rauffe Aldersey on the east pte To hould to the said Rauffe Aldersey and his heires & ass<sup>s</sup> for ever."

This is followed by

"A bond from S<sup>r</sup> W<sup>m</sup> Norres of c<sup>li</sup> [£100] to Rauffe Aldersey of the date with the deed last mençoed with condition for quiet enjoying, freeing from encumbrances And making further assurances concerning the p<sup>r</sup>misses last before mençoed."

There is another confused note in another hand written on the back of the cover of the Breviat which is evidently a note of the same deed of May 14, 1552, but is described as

"A deed bearing date Ed. 6 May 7."

A further similar note runs, so far as I can decipher it:—

"A release frō S<sup>r</sup> Will Norais of a house & all belonging to it [ ] in y<sup>e</sup> tenure of Rob Wall baker [? also] of one place & all belonging to it lying betweene y<sup>e</sup> sayd house or Messuage on y<sup>e</sup> South pte & y<sup>e</sup> Churchyard & S<sup>t</sup> Werburg on y<sup>e</sup> North."

No date is given. A note of a deed of 1571 reads:—

"A decree out of y<sup>e</sup> co<sup>r</sup>t of wards London 14<sup>o</sup> E<sup>l</sup> [1571] to free W. Aldersey from 2 former inquisiçions & from accounteinge for the p<sup>r</sup>fits of his lands."

The next deed is of considerable local interest. Dated September 13, 1573, it is a perpetual lease at a nominal rent from the Corporation to William Aldersey the younger,<sup>81</sup> of the land which had formerly been the site of Goddestall Lane. Of this deed we have an English abstract in the Breviat and the original Latin deed. I translate:—

"Let - - know that we Richard Dutton Esquire mayor of the City of Chester, the citizens and commonalty of the

<sup>81</sup> So called to distinguish him from Wm. Aldersey of Chester (who died 1577), of the Middle Aldersey family [information from Mr. Lawson].



same city - - have demised to William Aldersey the younger of the s<sup>d</sup> city merchant the whole of that vacant plot or parcel of our land lying and being in the s<sup>d</sup> City of Chester in a certain street called le Estgate Streete - - between a certain messuage of him William Aldersey now in the tenure or occupation of a certain Randle [*Ranulphi*] Cotgreve gentleman on the west side and a certain messuage in which one William Dodd merchant now dwells which vacant plot or parcel of land was formerly a lane called Godestalles lane serving as a crossway from the said street called Estgate Streete up to the Churchyard of S<sup>t</sup> Warburg - - To - - hold - - for ever Paying Therefor yearly to us - - to the hands of the Treasurers of the said City for the time being four pence - - [Randle Cotgreve and William Dodd appointed attorneys to give possession] - - Dated at the s<sup>d</sup> City on the thirteenth day of the month of September in the sixteenth year of the reign of the Lady Elizabeth [i.e. 1573].”

To this deed a portion of the old seal of the City of Chester in red wax is still attached. Probably the counterpart of this Indenture might still be found amongst the city records. On the back is the endorsement of livery of seisin given

“on the third day of December in the seventeenth year of Queen Elizabeth [i.e. 1574] - - in the presence of - - Thom Liosford [?]; Willyam Pixley; Richard Leigh.”  
 “Entered in the book of records [*libro tabulat*] xi<sup>mo</sup> die Octobris in the year below written folio xxiii<sup>mo</sup> Per me Willm Knight, Clerk of the Pentice.”

A later endorsement runs:—

“8. Godstalls Lane. 22<sup>nd</sup> die Janii 1641. Shew to witnesses on the Behalf of W<sup>m</sup> Mostyn & othrs agt Richard Willmson. [Signed] G. Byrom; John Jones.”

Several points connected with this deed are worthy of remark. In the first place Godstall Lane, which, as we know from the deeds of 1501 and 1502, existed as a lane in those years, has now, 1573, ceased to exist as a lane,

and its site is conveyed by the Corporation to Mr. William Aldersey the younger who became sheriff in 1584. The only information hitherto published of which I am aware on this point is that Godstall Lane had "worn quite out of use" about 1620, and that its site was then "the soyle of other tenements" (see Hemingway's *Chester*, Vol. I., p. 413). Mr. Raufe Aldersey, making his will on April 9, 1555 (1 Ph. & M.), leaves to his son Hugh Aldersey,

"the house that I dwelled in in St. Oswald's parish being in the Estgate which I had of [my uncle] Hugh Aldersey. Also the garden which I [had of] Sir William Norres, Knight [i.e. purchased in 1549 I think], with the other party joining thereunto which I have by lease of the minster, paying therefor 11<sup>d</sup> yearly. Also I give to him the other garden on the other side of the way that goeth from the Church in the Court over against the same garden, being now in my holding which I have of the mynster by lease [*Cheshire Sheaf*, N.S., Vol. I., pp. 120, 123 and 126]."

If this "way" was Godstall Lane, the lane was not closed before 1555.

It is to be noted that the deed is endorsed by William Knight as having been enrolled by him, and he styles himself Clerk of the Pentice. This was the usual title of the Town Clerk, who was also clerk of the Pentice Court and the Portmote Court. He is said (*History of Chester*, 1815, p. 265) to have become Town Clerk in 1590, and to have acted for seven years previously as deputy for Mr. Anthony Harper (the date of whose appointment was unknown to Hemingway and to Ormerod). The will of Ralph Cotgreave of Christleton was proved at Chester in 1588 [Mr. Philip H. Lawson]. A *William* Cotgreave, innholder, was sheriff in 1580 and mayor in 1589. William Dod, shareman, was sheriff in 1565; he was admitted a freeman, as merchant, in 1555.

The facts with regard to Godstall Lane appear to require some historical explanation. What that explanation is I do not know, but it may be worth while to throw out the following tentative suggestion. On certain occasions—called Missions—when special services are held at Roman Catholic chapels in country places in Ireland, it is the practice to line the approach to the church with stalls from which are sold small images and other things likely to be purchased by the devout. It may well be that such stalls might be called "God's stalls." For this suggestion I am indebted to Mrs. William Ayrton. If so, Godstall Lane was the lane where such stalls were commonly erected, and quite possibly the site of the lane belonged to the Abbey Church. After the Reformation the practice of setting up these stalls would be discontinued. Perhaps the land was then handed over by the Crown to the Corporation of Chester, and the shutting up of the lane and the sale of the site in 1573 might be an avowal of Protestantism almost as much as an accommodation to a civic dignitary and adjoining landowner.

Since the above was written I have come upon some passages in Canon Morris' *Chester* which seem strongly to confirm the above suggestions. On pp. 122-3, I find:—

"Earl Randle Gernons in his charter, confirming the grant of the fair to be held and traders' booths to be set up before the Abbey Gates, allows the monks to make these booths and let them for hire to the traders for the benefit of the church. He forbids any trader or *permentarius* (?) or shoemaker to buy or sell anything anywhere else except there during the fair time."

And on p. 123:—

"The abbot claimed for his convent to hold the fair on St. John the Baptist's Day, before the Abbey Gate; *not*

*only near the gate in the convent's own booths, but elsewhere in the street near the abbey, and that all articles for sale should be exposed there and nowhere else during the fair. - - The abbot further conceded to the citizens the right of "stallage" in fair time yearly throughout the city, in return for an annual payment to the abbey of 46s 8d [Chester Plea Roll, 5. Harl. MSS. 2148, 28]."*

The idea of an Emperor called Godstall seems to be quite fantastic in spite of one's sorrow to throw doubt on his "vertuose lyvynges."

All the Aldersey property was entailed by a deed dated February 6, 1610, by William Aldersey, upon the marriage of his son Richard Aldersey to Elizabeth Barneston. The property thus came by marriage into the hands of the Mostyn family and then the Horton family, and was eventually sold, and in the middle of the nineteenth century was dispersed; but I do not think that the deeds throw much light upon the questions we have been discussing. There remains, however, one word to be said in regard to the position of Godstall Lane. Since this paper was read, Mr. Hugh Dutton, solicitor, Chester, has kindly shown me the title deeds of the property adjoining and including the site of the present Godstall Lane, which was purchased by his grandfather. (There is a plan on a deed of 1822.) These title deeds trace the title clearly to what I may call for short the Aldersey title. This seems to prove that some portions of the Aldersey property did adjoin and include the site of the present Godstall Lane, and as we know from the deeds with which we have been dealing that some of the Aldersey property adjoined, and after 1573 included, the site of the ancient Godstall Lane, it is not unlikely that the site of the ancient Godstall Lane was identical with the site of the existing Godstall Lane.





## The Abbey Church of Saint Werburgh, Chester, in Pre-Norman Times.

By GEORGE W. HASWELL.

(Read 14th December, 1915).



IN investigating the earlier history of our mother church no attempt has been made, so far as I am aware, to locate a *site* for the early church of SS. Peter and Paul. The history of our abbey church from its conception by Hugh Lupus has been amply written upon, and it will now be my endeavour to place before you its history prior to that date, so as to forge the earlier links and thus complete the whole chain of our abbey's life and splendid record. The late Sir G. Gilbert Scott, R.A., in introducing his paper, "The Architectural History of Chester Cathedral," read before this Society on June 8th, 1870, in the Refectory, says:—

"I may begin by saying that, unlike the majority of great mediæval churches, its origin and the date of its foundation are unknown. Chester having been a Roman city, it follows that it must, during the last century of the Roman occupation—when the empire was Christian—have possessed churches, and one may have stood upon this site. The same may be said of the interval between the departure of the Roman legions and the Anglo-Saxon conquest: a period prolonged in this instance through

the district which includes Chester having been held by the Britons much longer than most parts of England. They were Christians, and must have had churches, and one may have stood here. Whenever it was founded, the original church is said to have been dedicated to St. Peter and St. Paul; and Mr. Parker conjectures it to have been Romano-British. During the Anglo-Saxon period, however, the dedication of the church was changed from St. Peter and St. Paul to St. Werburga and St. Oswald. I wish much that we knew when and why this change of dedication was made. I imagine, however, that it was about the year 908, during the time of Ethelred, duke of Mercia, whose wife Elfleda was the daughter of the great king Alfred, and resembled him both in piety and valour. Not only was it customary with the Normans, while dealing with the ecclesiastical structures of their predecessors, to make a clean sweep and re-construct them on a greatly enlarged scale, but the change from a comparatively small collegiate institution to a great monastery of necessity involved this. It is, therefore, not to be wondered at that *no vestige of the older buildings remains.*" [The italics are mine.]

Christianity was introduced into Britain about the year A. D. 180-200 in the mid-Roman occupation of this island. The Emperor Constantine acknowledged Christianity as the religion of the whole empire, being much influenced by his mother the saintly Helena, a British princess. Her name remains in quite a number of place-names, as Sarn Helen, etc. The parish church of Neston is dedicated to the Blessed Virgin Mary and S. Helen—and in passing I may mention that in this church there probably is an interesting connection with this saint, in a fragment of a cross-head upon which is a figure holding in the right hand a chalice and in the left hand seemingly a pair of pincers.

The history of our early church is perhaps best explained by the following extract from the *Early*

*Christianity in Britain* of the late Hugh Williams:—

“With the ending of Constantine's reign we reach the year A. D. 337. After the conversion of Kent there was in our island a church, which will best be called Anglo-Roman. Within the British portion of the island, among the Celts, there was the old native church which since the Council of Arles, 314, or, at the latest, since the time of Theodosius, 395, had lived on its life in comparative seclusion. There had been occasional communion with continental churches, but what the church of Britain may have possessed of administrative rule was carried on entirely within itself. Many old customs also continued, cherished and revered by all the people in western parts, from the neighbourhood of the West Saxons on the southern coast to the Tyne and the Clyde on the north. But there were no two churches until after A. D. 603. Saint Augustine, the ‘apostle of England,’ eager, active and high-minded as he was, struck out on a wrong path in 603, and caused a division between the English and British churches which lasted until the beginning of the ninth century.”

Knight's *Old England*, published in 1845, in dealing with the early history of our country, says:—

“The re-establishment of Christianity by the conversion of the Saxons was rapidly followed by the building of churches. What was the nature of the material of these churches; whether any of them exist; whether portions may be found in our ecclesiastical buildings; have been fruitful subjects of antiquarian discussion.”

Mr. Rickman, one of our highest authorities on this subject, said:—

“On that part of our architectural history which follows the departure of the Romans from Britain and which precedes the Norman conquest, there is of course great obscurity; but while in the days of Dr. Stukeley, Walpole, etc., there appears to have been much too easy admission of Saxon dates, on the mere appearance of the semi-circular arch, I think there has been of late perhaps

too great a leaning the other way; and because we cannot directly prove that certain edifices are Saxon, by document or evidence, we have been induced, too easily perhaps, to consider that no Saxon buildings did exist, and have not given ourselves the trouble sufficiently to examine our earlier Norman works to see if there were not some of them entitled to be considered as erected before the Conquest."

Since the foregoing was written much has, by careful research, been revealed, prejudice against the authenticity of Saxon remains has died out, and many examples can be produced of what we must admit to be pre-Norman or Anglo-Saxon buildings; but, naturally, with the vicissitudes they have undergone, we have not very many examples above ground. The splendid tower at Earl's Barton, in Northamptonshire, and the church at Bradford-on-Avon, will suffice to show what once existed in our old country. Where buildings of this glorious style are seen we are bound to admit that the Arts generally in those times were in a high position; and that they were not "mean builders" as one authority would have us believe. Mr. Francis Bond, in his most valuable work, *Analysis of Gothic Architecture in England*, says:—

"Church architecture had a very long history before the Norman style reached these lands in the 11th century."

Professor Baldwin Brown in his *Arts in Early England*, in explaining the map of Saxon churches in England, (on which none are shown in our neighbourhood,) says:—

"This represents a personal examination of some 350 examples that have been signalized as showing signs of Saxon origin—other examples no doubt exist that come under the notice of local observers, though they are not generally known, and these would repay investigation. . . . In the absence of any definite feature, a wall that is



really Saxon may pass unnoticed, and there may be very many such pieces of walling up and down the country. . . . Are there any general *criteria* by which an intelligent observer can distinguish a Saxon church from one belonging to other mediæval periods? There are no *criteria* of absolute validity, but there are general symptoms by which they can be diagnosed. . . . If the character of the masonry be then examined some confirmation of the hypothesis of a Saxon origin can be found in the comparative rudeness and irregularity of the technique, and the absence of any special treatment of the face—such as ‘herring-bone’ work. ‘Herring-bone’ work, which used to be considered a sign of Saxon origin, is now known to raise a presumption to the contrary; more assurance will be gained if the thickness of the walls turns out to be comparatively slight, say 2-ft. to 2-ft. 6-in. Comparative thickness of walls is a good—but by no means absolute—test of Saxon and Norman, but this measurement should always be taken. Norman walls nearly always run thicker than Saxon.”

After these practical suggestions from such an eminent authority, may we not venture to enquire whether we have not some Saxon, or pre-Conquest, work in our northern transept? The general characteristics will, I venture to suggest, correspond largely with what the Professor teaches us to look for; therefore I wish particularly to draw your attention to this portion of our church. Transepts, as a general rule, are the least disturbed portions of our churches, and should be the starting point in examining their architectural history. The rebuilding of a church generally commenced at the east end, sometimes at the west, and occasionally from both ends simultaneously; hence the transepts would be the last to be disturbed, and in case of cessation of operations would not be touched. This has, I suggest, been the course pursued at Chester. “Saxon,”



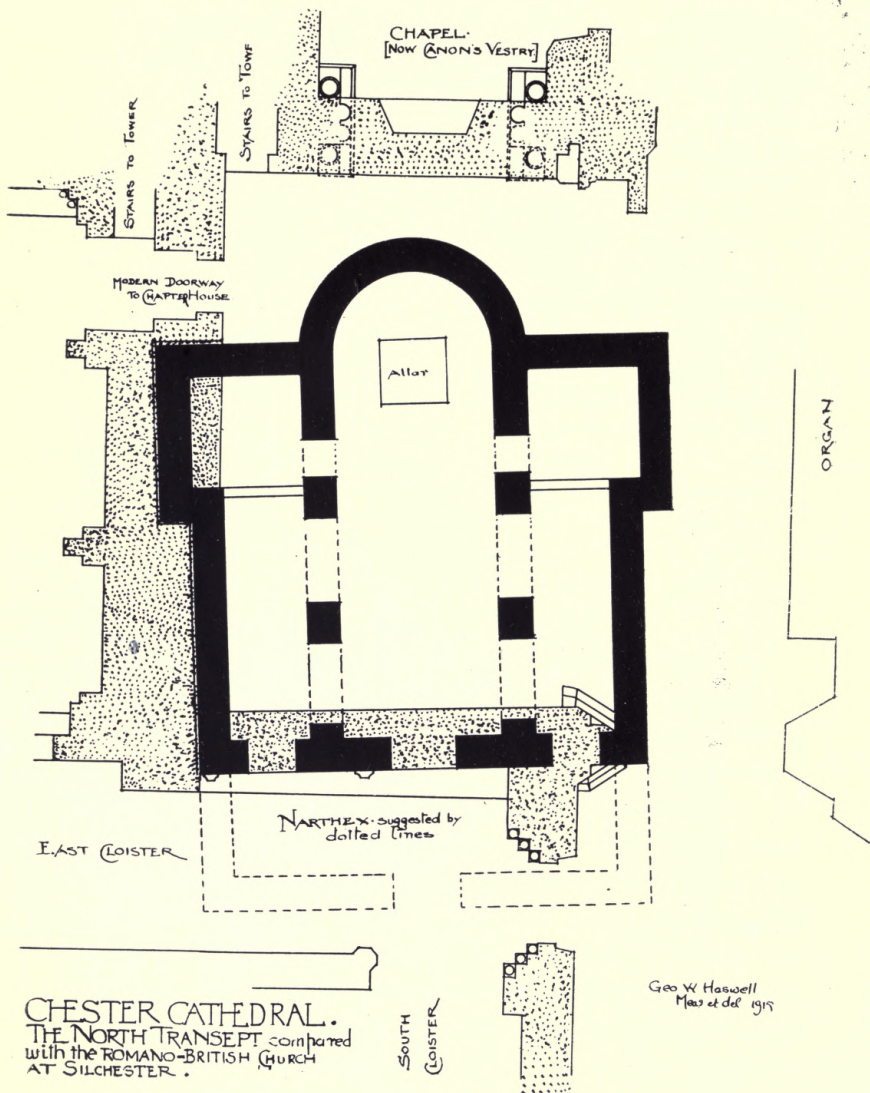


Plate No. 1.

"Anglo-Saxon," "Romanesque," or "pre-Norman," was the style in fashion about the years 650 to 1066. I think that the title of "Romanesque" is the happier one, as no doubt it introduced the "Basilica" in church building towards the end of Roman rule in this country. If we take *c.* A.D. 410 as that date, the Roman empire was already Christianized, and many of the smaller temples in Rome were being converted from pagan to Christian uses. The Emperor Constantine upon his conversion gave seven of these basilicas, and in our own island we have many parallel examples, notably the old British church at Canterbury dedicated to St. Martin, in which Bertha, the Christian wife of king Ethelbert, worshipped; you will remember it was this lady who greatly assisted St. Augustine in his mission to England in the year 597. Now these heathen temples apparently were some trouble to Augustine, as, Pope Gregory, in a letter (A.D. 601) to Mellitus—who had been sent amongst others from Rome at the request of Saint Augustine, "who had a great harvest" and "but few labourers"—told him to inform Augustine that he had determined after much deliberation,

"that the temples of the idols in that nation ought not to be destroyed; but let the idols that are in them be destroyed; let holy water be made and sprinkled in the said temples, let altars be erected, and relics placed. For if those temples are well built, it is requisite that they be converted from the worship of devils to the service of the true God; that the nation, seeing that their temples are not destroyed, may remove error from their hearts, and knowing and adoring the true God, may the more familiarly resort to the places to which they have been accustomed."—(Bede).

By this direct evidence we are left in no uncertainty as



to what we are in search of, and it clearly points to what has already been said: that we must have many unsuspected pieces of very early masonry in our midst, and if I am not very much mistaken we shall presently see some in the southern portion of our eastern cloister.

During the excavations on the site of the Roman city of Silchester, in Hampshire, in 1891, a discovery was made—claimed as one of the most interesting yet made in Roman Britain—by the uncovering of the walls of a miniature church, complete, but small indeed, as the following measurements will tell:—

Nave: 29-ft. 3-in. by 10-ft. in width, ending in an apse. Aisles: 5-ft. in width. Transepts: 7-ft. by 7-ft. Narthex: 24-ft. by 6-ft. 9-in. extending the whole width of the three main divisions; precisely as described in 1 Kings, vi. 3:—

“And the porch before the temple of the house, twenty cubits was the length thereof, according to the breadth of the house.”

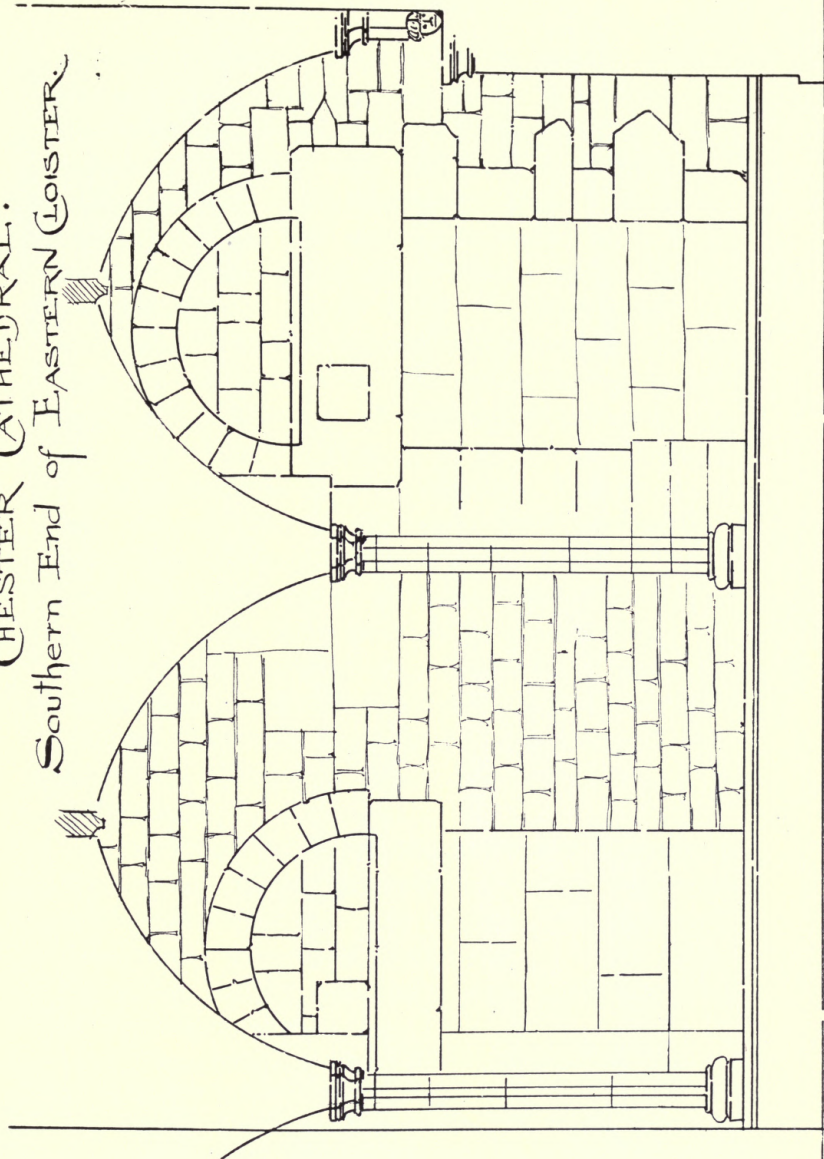
The narthex was the porch, probably entered by a single doorway in the centre. The inner wall had three doors; one opening into the nave and one to each aisle.

This is the earliest known example of a Christian edifice in this country, and now I want you particularly to follow this plan of the Silchester church, and transfer it to the north transept of our abbey church, into which it can be accommodated in a most remarkable manner.<sup>1</sup> In the southern portion of the eastern cloister, and looking east, *two* built-up arches of very early workmanship will be seen, with the characteristic heavy stone lintels of the Saxon period.<sup>2</sup> Of these two arches the one to the right is taller than the other, obviously suggesting that it was once the centre of a set of *three*. This taller arch (it is next the Norman

<sup>1</sup> See plate No. 1.

<sup>2</sup> See plate No. 2.

CHESTER CATHEDRAL.  
Southern End of Eastern Cloister.



Geo. W. Haswell drew at del.  
1915.



doorway leading to the nave) is central with the transept, and, curiously enough, is in a direct axial line with the chapel (now the Canons' Vestry), consequently agreeing with the apsidal ending of the miniature nave of the basilican church. The built-up opening on the left would correspond with a door leading to the north aisle, the east end of which I suggest may be traced by a "toothing"—where its wall joined and was bonded into the eastern termination—on the right of the doorway in the north-eastern angle of the transept. It does not of necessity follow that we had, in our church, an apsidal termination, as rectangular chancels were common. The *third* doorway—namely that on the right hand leading to the south aisle—disappears within the thickness of the north wall of the nave. The outer wall of the narthex, or porch, is probably beneath the cloister floor. The orientation of the Silchester church is to the west, as was sometimes the case, but it does not necessarily follow that our church was so arranged. The orientation of the basilica of S. Peter, at Rome, was reversed in the year 388. (Bond).

I am aware that I am propounding a very startling theory, but all our previous writers on this subject, whilst admitting the possibilities of a Saxon church hereabouts, leave us in the dark as to a *site*. Mr. W. Ayrton on April 1 and May 6, 1850, in the first volume of our transactions, says:—

"The records we have of the abbey of St. Werburgh previous to the Conquest testify to the existence of a very important building, of which, indeed, we might even now expect to find some traces, were it not that their absence is fully accounted for by the fact that the abbey had, in the beginning of the eleventh century, fallen into a state of great dilapidation, so much so, that in 1057, Leofric,



Earl of Chester, when he visited the city, made the necessary repairs at his own expense."

Now it does not necessarily follow that this "state of great dilapidation" previous to 1057, entirely destroyed all traces of the acknowledged earlier church. No doubt wood used in the timbering of the roofs and elsewhere would have disappeared either by length of service or neglect, or more likely, be destroyed by fire—accidental or otherwise—as we know the delight the Danes took in plundering and destroying the Christian churches. On the other hand there is every reason to believe that in any necessary repairs, due to dilapidations or extension, in those early days, the stonework in the walls, or at least in their lower portions, would not be destroyed but utilized, as we have learned from the instructions received from Pope Gregory.

Mr. Ayrton then goes on to say, in speaking of Hugh Lupus' church of 1093 :—

"On the opposite, the west wall of the transept, are three plain blank arches precisely similar (i.e. to the triforium opposite on the east wall), which are probably the remains of a corresponding triforium, the front arcade of which has been removed in reducing the thickness of the wall for a subsequent design."

There are to my mind many reasonable objections to this theory of reducing the thickness of the western wall. Such treatment for a subsequent alteration would be most improbable, because we know that the Normans, as a rule, built thicker walls than the Saxons. Again, these plain recesses are quite different in feeling from the opposite (east) wall, being cruder in arch construction, and they do not show signs on their face of being cut away. This wall, it will be remembered, is the one containing the built-up openings previously referred to in the eastern cloister. Again, if the reduced thickness

suggested took place, one would expect to find a thicker wall below the present transept floor. During the year 1909, when the re-building of the organ was taking place, a trench had to be cut along the face of the north wall, when the writer found, about three feet below the pavement, a "single plinth" or "set-off"; the western end of this excavation did not reveal any signs of a thicker western wall.

May I suggest that the key to the whole solution will be found in studying the blocked-up arched openings in the east cloister? not primarily that they are of early construction—but from their arrangement, bearing in mind that if originally there were *three*, they were only required for entrances to a church built on a very early plan necessitating a separate doorway to the nave and one to each aisle. Once again, making a parallel with Silchester,

"... there seems to be little, if any, doubt that we have here a small church of the basilican style."—*Archæologia*, Vol. LIII.

An interesting description of this, the earliest form of Christian church, is given by Mr. John Ward in his *Romano-British Buildings and Earthworks* :—

"It was a small edifice, being only forty-two feet long and twenty-seven feet wide. As a width so narrow could have been easily spanned with a single roof, it may be reasonably inferred that the basilica was already the conventional form for a church. The pagan temples, although occasionally utilized for churches, were not adapted for the congregational worship of the Christians; the civil basilica, on the other hand, was designed for the concourse of people, and from long usage had come to be regarded as peculiarly the type for halls of assembly. It is not surprising, therefore, that the Christians should have eventually adopted the type for their own assemblies. The tribune became the chancel, a word derived

from the screen or *cancelli* which divided it from the hall. The prætor's chair was now occupied by the presiding priest; and the seats, on either side, by the lesser clergy. The heathen altar was replaced by the eucharistic table. The body of the hall was allotted to the choir and the different orders of the worshippers, the division into nave and aisles helpfully contributing to the groupings, and so coming to have a ritual significance. The church was entered through a space extending the full width of the building; this, in the west, usually took the form of a portico, forming at first the fourth side of an open court—the *atrium*—through which the main building was approached. When the *atrium* disappeared, the fourth side was retained, not only because it formed a suitable vestibule, but because it was the part to which certain grades of penitents were admitted. In the east, however, it was represented by a closed-in narthex, which was structurally within the main fabric. In the *atrium*, or somewhere in the open space in front of the building, was a large basin or fountain—the *cantharus*—where the people washed their hands before entering the church. . . . This little Silchester building is the only one in Britain that has been identified as a church of the Roman era. Some existing churches have been supposed to be of this era, as St. Martin's, Canterbury, and those of Reculver, Dover Castle and Lyminge; but all that can be said of them is that they are built of Roman materials. There is no evidence that they even occupy the sites of Romano-British churches. That the remains of only one undoubted church of this era should have been discovered is remarkable; but so little is known of Romano-British Christianity, that it is quite uncertain whether the basilica type was rigidly adhered to."

At whatever period this style of primitive church planning ceased in this country, it certainly leads us back many centuries prior to the Norman conquest.

"It was universal throughout the then Christian world, as we find in Asia Minor an early church which is identical in plan with the church at Silchester."—(Lethaby.)

It must suffice, however, for us to know that we have here an indisputable fragment of an extremely rare example of very early walling, interesting, not essentially as exhibiting any Roman influence in technique, but simply the fact that a *triple arrangement of entrances* to this small church *does* exist; a concrete example that will require a great amount of arguing away. These three doorways, in such a limited area, are absolutely unnecessary except for the purposes suggested. The planning is earlier than that of a Saxon church, although it is not inferred that the masonry is Roman. It was built by British hands, influenced by examples familiar, as we have already learned, to the early Christian world. Thus it may not be unreasonable to assign our church of SS. Peter and Paul to about the period immediately prior to, or immediately following, the abandonment of Britain by the Romans, at the commencement of the fifth century.

In surveying the whole of the foregoing suggestions, does not this most extraordinary similarity to the Silchester type of church point to the fact that we have found in our north transept the long lost church of SS. Peter and Paul?

In submitting these suggestions for your consideration I may be excused on the plea raised by Mr. Bond, in his introduction to *Gothic Architecture in England*:—

“Nothing is more interesting than the search for the hidden cause; nor should the investigator be deterred even if at times his discovery prove but a mare’s nest.”

The next step in our enquiries will bring us into close touch with our patron saint. The monk Bradshaw says:—

“Touching the foundation of a monastery in this place, there is not anything that I have seen from our historians,



or records, that may make a perfect discovery thereof, but by circumstances, I do conclude, that Wulphere, king of the Mercians, who flourished about the year 660, perceiving his daughter Werburga much disposed to religious life, caused her to be veiled, and first built it for her and such other pious ladies who resolved to dedicate their lives to the service of God therein; for William of Malmsbury, an ancient author, and of great credit, speaking of this devout virgin St. Werburgh, saith, that she was buried at Chester, in the monastery there, afterwards re-edified by earl Hugh."

It will be admitted that no great value can be placed on this account. St. Werburgh's life was spent elsewhere and we have no trace of her ever having lived in Chester. She was abbess of Ely, and her uncle, Ethelred, gave into her charge the convents he had founded for nuns at Hanbury and Trentham, in Staffordshire, and at Weedon, in Northamptonshire; and, generally, the superintendence of all the religious houses of Mercia. The year of her death is not accurately known—the late Sir G. G. Scott, in the paper previously referred to, gives A. D. 669—but it took place at Trentham, in Staffordshire, and

"on June 21, 708, in obedience to her own instructions, her body was enshrined at Hanbury."—*Pioneers of our Faith*, C. Platts.

After a lapse of about 175 years [A. D. 875] her remains were translated from Hanbury to Chester, and deposited in the church dedicated to SS. Peter and Paul. The reasons assigned for their removal are twofold: one, because of the depredations of the Danes, who were marching upon Repton; and the other, that greater honour might be done them. If the former, then our city must have been considered safe from "the heathen men"—a fact, however, not borne out by history. But

if for the second reason, we must be prepared for a building of more importance than either Hanbury or Trentham; and as we cannot lay claim to this, the first explanation would appear to be the more feasible. I think that had our church been enlarged for this purpose we should have evidence, and considering the unsettled times it is not likely that building of any importance would be carried on. My point is, that the church and its old dedication remained for about thirty-two years after the translation of the remains [875] until the year 907. In the year 900 King Alfred had died, and was succeeded by his son Edward who was now enjoying a space of peaceful rule for six years [903-10]. Edward's sister, Æthelflæda, the Lady of the Mercians, with her husband Æthelred of Mercia, re-built and re-peopled our city in the year 907, a year of the greatest importance to us, because it gave the King of England a harbour looking out on the sea over which the communication between Dublin and York took place. Edward was, it must be remembered, the possessor of the navy which Alfred had created, and in 910 had over one hundred vessels at sea.

To Cestrians it is especially interesting to read the following extract from *England before the Norman Conquest*, by Charles Oman, M.A.:—

“It is to be noted that Æthelflæda is mentioned by the chroniclers for the first time when co-operating with her husband in the restoration of Chester; she had been married to him for twenty years, but only now begins to appear in formal history as his fellow worker. Charters of an earlier date, however, show that for many years she had been practically co-regent of her spouse the ealdorman of Mercia. Her importance came not only from the fact that she was a princess of royal blood, but from her energy and masculine spirit, which enabled her to take

Æthelred's place, not only in peace but in war, after his death. She was evidently as capable as her brother Edward—more so perhaps when we consider the disabilities of a woman in those troubled times."

This period would doubtless be taken as a favourable and fitting opportunity to enlarge and beautify the small church of SS. Peter and Paul, containing the remains of St. Werburgh,—which, owing to the miracles attributed to her, had gained so much notice as to make it absolutely necessary for this step to be taken—and to dedicate the new buildings to her memory. Thus the church of SS. Peter and Paul would become the church of St. Werburgh, and, perhaps, in two years' time jointly known as the church of Saint Werburgh and Saint Oswald. Finally the older dedication would be transferred to the church which Æthelflæda had caused to be built at the High Cross; thus completing, before the Norman Conquest, an episode in an historical and ecclesiastical pageant that any city might be justly proud to claim.

We are now confronted with the task of accounting for the new dual dedication of our church. It was a somewhat strange combination—on the one hand a virgin saint with no claim of martyrdom for her faith; and on the other a warrior prince, soldier and missionary, king and martyr. But the year 907 has more surprises for us in our local history, as we have entered, generally, upon one of the most important periods in the life of our church; increased zeal, and the munificence of royal donors, were influencing and infusing enthusiasm in every direction.

Although repeating ancient history, it is necessary to our subject to give a brief account of the life of Oswald. Born about A. D. 605, he and his elder brother

Eanfrith as youths took shelter in the isle of Iona for about seventeen years. He reigned over Northumbria for nine years; defeated Cadwallon at Hefenfeld near Hexham, 634, and setting up a cross bade his army kneel in prayer. Then came his defeat by Penda and death at Oswestry on August 5, 642, when the victor ordered the victim's head and hands to be severed from the body and exposed upon wooden stakes. In the following year they were recovered by his brother Oswiu; the head being buried at Lindisfarne, and the hands enshrined at Bamburgh. Legends abound concerning the healing properties of the saintly remains, and about the year 672 his body was removed to Bardney in Lincolnshire. At Lindisfarne his head remained for something like two centuries, and in 875 the monks, being driven to the mainland by the Danes, deposited their precious relic at Ripon; whilst one of his hands was deposited at Peterborough [the splendid monastery of Medhampsted], thence taken to Ely, and the destination of the remaining hand is not accurately known. We find in the Saxon Chronicle, that in the year A.D. 909 his remains were translated from "Bardney into Mercia." The following reference may be of interest; it is from Mr. C. Platts' *The Pioneers of our Faith* :—

"From Bardney, in the year 909, all but three of the other bones that had not already gone abroad were put out of the reach of the vikings by removal to the monastery which Æthelred of Mercia and his lady Æthelflæda, Alfred's famous daughter, had built in Oswald's honour at Gloucester."

From local historic incidents ending with his death at Oswestry, only twenty-three miles from Chester, we may reasonably assume that at this period [907] was acquired for our new monastery, built by Æthelflæda, a



portion of his relics, which were so much sought after in other places, so as to enhance and glorify the new edifice. Among the places abroad where his remains had been taken, one is intimately brought to our mind in the terrible war now devastating Europe—I mean the town of Soissons, where, in the abbey of our Lady were shown as late as the eighteenth century, relics of St. Oswald.

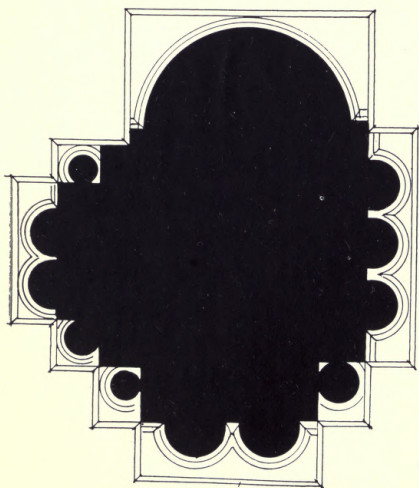
#### ÆTHELFLÆDA'S CHURCH.

The occasion that gave rise to the translation of the church of SS. Peter and Paul to a central site in the city, indicates very clearly that extensive building operations were contemplated. The first church would stand upon ground sacred with associations of the saintly Werburgh, and possessing the shrine which held the precious remains; and this small spot was to be a nucleus around which an abbey of importance, and dedicated to her memory, was to spring.

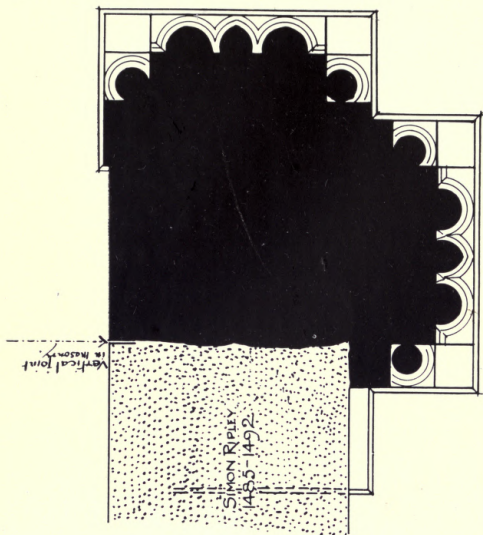
Sufficient attention has not, I suggest, been given to this church by previous writers in proportion to its importance. I submit the following evidence in endeavouring to trace the area covered by it, in the first instance, and then details connected with it.

The area covered is, I suggest, from the east wall of the north transept on the east, and the north-west tower, now the baptistery, on the west. The point to interest us in the east is in the chapel, now the Canons' Vestry. There will be seen, on the west side, a built-up arched opening about fourteen feet in width; and on either side, nearly level with the present wooden floor, are plain chamfered plinths, the upper surfaces of which will be found to be what are termed in masonry, "beds," or surfaces not so smoothly finished as those necessary for faced work, but intended to be built upon to the

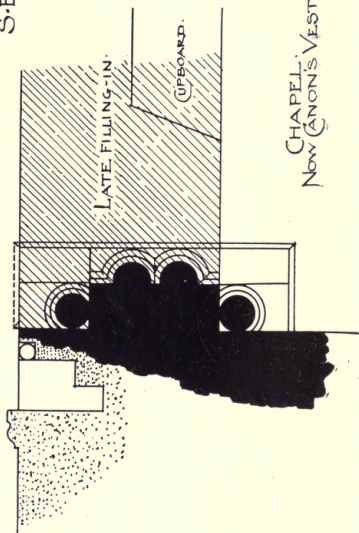




SAINT JOHN'S CHURCH, [CHESTER]  
S.W. PIER OF TOWER



S.E. PIER IN BAPTISTRY  
CHESTER CATHEDRAL.



CHAPEL.  
NOW CANON'S VESTRY

GK Haswell  
1918

extreme edges of the upper line of the chamfer. A simple plinth course, which would carry above it piers of plain rectangular masonry, is quite in harmony with the architecture of the tenth century.<sup>3</sup>

Proceeding to the north-west tower—now the baptistery—we find that the same remarks apply to the plinth courses here as to those just examined in the vestry, the only difference being that you have in this instance more massive masonry springing from them. As we wish to trace a Saxon church as far west as this point we must examine the planning of these plinths very carefully, since their massiveness and simplicity are suggestive of that period.<sup>4</sup> On the south-east pier will be seen a respond, or half-pier, forming the western termination of an early arcading. In discussing pre-Conquest and Norman piers, Mr. Bond says:—

“We can hardly doubt that where aisles existed in the Anglo-Saxon churches, they were separated from the nave, not by a colonnade, but by a pier-arcade. The history of supports of our English churches begins with the pier, and not with the column.”

Thus we may have possessed a pre-Conquest church with pier-arcading. It will be noted that the whole width of this respond has not been utilized by Simon Ripley's building; as you will see, he was contented with a thinner wall. The plinths are on the same level as that in the abbot's passage. There are plinths on the west and north walls, but at slightly different levels. There are no indications of an early doorway on the west—the plinth would not be carried through if there were—neither are there any signs of a built-up opening on the exterior.

The abbot's passage, between the baptistery and the crypt, is assigned to the year *c.* A. D. 1120; on the south

<sup>3</sup> See plate 3.

<sup>4</sup> See plate 4.



wall, for a little more than half its length, there is a plinth and ashlar in shallow courses terminating in an external angle carried up to the ceiling. This plinth is, after careful levelling, found to be the same as the piers within the north-west tower, a strange coincidence. The angle suggests itself as being the north-east angle of a tower, thus becoming an external feature; we must bear in mind that there would be an open space here before the building of the passage, as proved by the window above in the abbot's chapel. In order to have a straight face along the whole length of this south wall, it became necessary to build up the recess from this angle, eastwards, for about ten feet. The plinth is not continued, and it does not appear in any other part of the passage. There is a distinct class of wall here, better ashlar and in deeper courses than that above the plinth on the western portion. As the abbot's passage has been dated *c.* A.D. 1120 it follows that this recessed filling-in must be contemporary with it. It naturally follows that as the plinth portion was there first, a date considerably earlier than *c.* A.D. 1120 must be claimed for it. Here we are guided by two factors: (1) the early class of ashlar, and (2) this ashlar cannot reasonably be assigned to the building *immediately* prior to 1120, that carried on by Anselm, as only twenty-seven years have elapsed from the date of the foundation by Hugh Lupus, and this includes the time occupied with building operations, which were slow in those days; this being so, we are led back once more to the time of Earl Leofric, who, simultaneously with his work of enlargement here, was also carrying on similar operations at the collegiate church of St. John the Baptist, outside the city walls.

# CHESTER CATHEDRAL.

1465-1492  
C 1120  
C 1093  
ANTE 1093

NEW TOWER  
[BAPTISTERY]

ABBOT'S PASSAGE

(CRYPT)

WEST END OF NAVE.

WEST DOISTERS

Geo W. Haswell.  
Plans et al. 1915.



Returning to the vestry, and examining the plain chamfered plinths previously alluded to, we find that they have been utilized for adding piers consisting of central solid semi-columns, with bases and cushion caps, and, on either sides angle shafts also with bases and cushion caps, and the opening arched by simple recessed orders, the jamb making a wall of equal thickness to one that would occupy the whole extent of plinth. This arrangement leaves a void at each external angle of the plinth owing to its outline not following that of the shafts and columns above, such as we should expect to find in Norman times. A similar arrangement will be seen in the north-west tower, but here you find a very striking difference in the feeling of the masonry generally, especially in the sub-divided cushion caps, commonly termed "scalloped," which are quite delicate in comparison with the heavy, primitive cushion, or "cubical" caps of the vestry. Now are these two examples the work of the same master-builder? To arrive at a decision we may, in using the description of the caps just given, reasonably assume that they are not. If the north-west tower is Hugh Lupus' [1093], then the arched opening in the vestry must be earlier, i.e., pre-Norman.

If we can satisfy ourselves that the plinths of the vestry and north-west tower are not Norman, then the subject narrows itself down to the question, who built them? The following points may assist us to decide:—

1. The piers of the built-up opening in the vestry are, apparently, earlier than the piers of the north-west tower.

2. The piers of the north-west tower are not earlier than 1093.



3. If the vestry piers are earlier, then Leofric must be responsible for them.

4. These plinths, in both instances, appear to have been utilized as a foundation for the work existing upon them.

5. Therefore it follows they were there before Leofric came upon the scene [1057], and consequently belong to a still earlier church, which would be the church of Æthelflæda, the time being A. D. 907 when she and her husband rebuilt this city, and the church need not necessarily ever have been *completed* so far west as the north-west tower, an incident common to those days. We find a proof of this statement in our neighbour, the church of St. John the Baptist, which was never completed on the plan originally intended.

“It appears that when the second Norman bishop in 1095 removed the see to Coventry, and abandoned the plan of making this church the cathedral of the diocese of Chester, Lichfield and Coventry, the fabric of the church was left very incomplete; the funds on which its completion depended being removed, the monks of the priory of St. John were left in a very forlorn state, with a large church commenced, and little more than commenced. It is true that the work had been carried on for twenty years, but that was a short period according to the custom of the age, when a large church was commonly a century in the course of erection, and the re-building in a new style was often commenced before the original plan was completed—as was probably the case in the rival church of St. Werburgh.” (J. H. Parker.)

At the commencement of my paper I referred to the late Sir Gilbert Scott's remark that there were no remains of the Saxon buildings; but in the same address he went on to say:—

“The previous church, if only a restoration of the older Saxon church, was probably of no great dimensions;

though, if it was actually re-built by Leofric, it would be contemporary with the Confessor's work at Westminster, and might therefore have been of large size. We have, too, a work remaining, partly built by Leofric, at Stow, in Lincolnshire, which might afford some suggestion as to the probable scale on which he would have been likely to build; but all such speculations are useless."

This is a statement of a very elastic nature, and may mean anything.

A statement somewhat upon the same lines, but more emphatic, was made by a competent authority in 1857 in reference to St. John's church, during the visit of the Archæological Institute to this city, when it was "decisively settled by Mr. Parker on that occasion, that an erroneous opinion prevails that a great part of what remains of the monastery of St. John is Saxon architecture."—(Rev. Francis Grosvenor.)

and again, at the same meeting,

"of the Saxon earl's reparations no traces now remain." This I take to mean that there are no traces of a church earlier than bishop Peter's—a statement without substantial foundation. At the west end of the north aisle of this church will be seen a mass of masonry consisting of a plinth and a plain pier surmounted by an abacus; this plinth, pier and abacus can be distinctly traced on the exterior of the west wall of the nave, in which it is embedded. This masonry is probably one of the piers of an earlier arcade, such as we have suggested existed in the abbey church of St. Werburgh. The portion projecting on the west side of the nave wall is illustrated as "buttress and window at west end of nave,"<sup>5</sup> an error which would account for the idea of the non-existence of an earlier church.

<sup>5</sup> *The Medieval Architecture of Chester*, by John Henry Parker, F.S.A., p. 8.

It is quite obvious why this particular pier was not demolished with the rest: it served utilitarian purposes: it gave, at the time when funds ran out, a line for the west wall, so as to enclose the church: so by retaining the pier, which was older work and solid, it formed a convenient angle from which a return wall could be built between this point and the north-west tower; it would act in a two-fold capacity—resisting the thrust of the northern arcading, and also forming a porch and entrance to the church. Light was obtained through an internally splayed window, destroyed, in quite modern times, to make a new entrance leading to the west doorway under the large west window. The suggestion has been made that this pier is contemporary with the last Norman period to act as a temporary buttress, but it was not the way to build such a support; besides it is not in a central line with the arcade, and would be useless for resisting the thrust that would be placed upon it by the enormous weight of masonry pushing against it. The destruction of the corresponding pier, on the south, has caused settlements to take place in the western arch of the south arcade.

Why I am so anxious to bring this before you is that we have in our abbey church many things in common with St. John's. I wish we had a bit of masonry left similar to that at our neighbouring church; however, its absence does not, by any means, interfere with the theory of the existence, at one time, of a pier-arcade in our abbey church.

In conclusion it may be necessary to point out that in the examination of buildings known to have characteristics common to both Saxon and Norman architecture, it must be borne in mind that



"the word pre-Conquest must of course be taken to refer to style rather than to actual date; just as the earliest work at Westminster is Norman, though executed before 1066, so buildings that are essentially Saxon may have been actually reared after the accession of William."—(Bond).

This overlapping causes naturally many pitfalls; it may account for the technique of the work already referred to in the Canons' Vestry above the plinths, *i.e.*, Saxon workmanship, of the third or last period, influenced by the new Norman design then setting in; therefore, there seem to be sufficient grounds upon which to suggest that here we have a portion of Leofric's church of *c.* 1057, perhaps a few years earlier, as he died in this year.

Then comes the question: have we any remaining evidences of an earlier church? To this I would suggest as an answer that as the rectangular plinths, upon which the work I have attributed to Leofric rests, point to re-usage, then they must belong to the church erected by Æthelflæda in A.D. 907.

Finally—reverting to the church dedicated to the SS. Peter and Paul. Are the grounds upon which I have based my suggestion as to a Romano-British primitive Christian edifice of the Fifth century, reasonable?







## Chester Artists.

THE meeting of the Society on Tuesday, January 18, 1916, was of a most interesting nature. Alderman W. Vernon's fine collection of old Chester prints was on view in the Lecture Theatre, and the proceedings took the form more of an informal talk than of the usual lecture. Mr. F. Simpson, F.S.A., had previously arranged Alderman Vernon's prints, assisted by Mr. W. W. Tasker. For a part of the evening Lord Arthur Grosvenor, the Mayor (Alderman J. M. Frost) and officers of the Volunteer Regiment were present. Mr. Henry Taylor, F.S.A., took the chair, and said through the kindness of Alderman Vernon they were enabled to see a small selection of pictures from his larger collection. Mr. H. B. Dutton had also very kindly brought them a few drawings of Chester buildings by Chester artists, and they hoped that that little exhibition would draw forth some information respecting those Chester artists, and perhaps at a future time—when this dreadful war was over—it might be the nucleus of a larger exhibition of the works of Chester artists, and of Chester scenes. His predecessor as honorary secretary of that Society, Mr. Thomas Hughes, when he began to write "The Sheaf," suggested that "The Sheaf" might be the means of obtaining information as to Chester artists in the past, and he was more or less successful. He began with the names of John Musgrove, William Tasker,

and Thomas Bailey. Of the work of these three artists they had specimens that evening. They flourished in the period from 1808 to 1852. Then there was a miniature painter in Chester about 1815, A. R. Burt. He had rooms with a man named Hunter, an engraver, and, strange to say, also verger at the Cathedral. His rooms were near where Messrs. Potts, Potts and Gardner's offices were now, and he gave the name to Hunter Street and Hunter's Walk. Then there was another artist—he did not think they had anything of his work there—Paul J. Naftel. Musgrove they could claim as a native of Chester, and Bailey, too, was a native of the city. Tasker, though a Chester man, happened to be born in London. Then there was a family named Clowes, who were painters, and the last of them lived in Pepper Street; and also Batenham, the well-known etcher of Chester views. Then there was W. O. Harling, who studied under William Jones; both were Chester men. There was another name—perhaps it was one of the oldest names they had—Delacour. He painted the portrait of Orme, the organist and a great Freemason, 1777, which was now the property of the Cestrian Lodge. Delacour was an heraldic artist as well as a painter. Then they had George Cuitt, the well-known etcher, who flourished between 1779 and 1854. Also they had two schoolmasters who had done good work; they were Davidson, of the School of Art, and Sumner, who, he thought, was a drawing master at the King's School. Then there was the family of the Cranes, who were more or less connected with Chester. Mrs. Taylor had a portrait of her mother and a portrait of her aunt, which were painted by "T.C."—that was Thomas Crane. One was perfectly clear, "T.C., 1835," but

the initials on the other looked more like "F.C." They were painted at Whitchurch, where the ladies resided, and it appeared that Thomas Crane, when a young man living in Liverpool, went to Whitchurch probably to give lessons in drawing. He (Mr. Taylor) wrote to the late Mr. Walter Crane in 1905, who said: "In reply to your letter, the portraits are no doubt by my late father, Thomas Crane, of Chester, and sometime secretary of the Liverpool Academy, and student of the Royal Academy, London. He took the gold medal for a travelling scholarship. Some account of him appears in the *Dictionary of National Biography*. He did many crayon portraits, and used to sign his drawings T. C. or F. C. I think, therefore, the one you say is signed F. C. must also be one of his. He had a brother of the name of William Crane, who worked in lithography at Chester, and some of the early portraits are reproduced in this way." Mr. Taylor mentioned that they had in that exhibition a lithographic portrait of Paganini by William Crane, and added that there was a school of lithographic printers in Chester about 1830 to 1840. They had another artist, a very retiring man. Some people used to think his judgment as a colourist was wrong, but Landseer said he was undoubtedly the greatest painter of animal life in existence—that was William Huggins, of The Groves. Many of them, no doubt, would remember him. His lions and lions' heads were very rare and very valuable at the present time. Coming down to more recent times, they could boast of as natives of Chester Randolph Caldecott, E. M. Wimperis, president of the Society of Water Colours, and Mr. Lee Hankey to-day; in addition to which they had had living in Chester artists like Miss Rayner and Alfred Rimmer, who did so much work in connection

with Dean Howson, and whose drawings and etchings were considered to be of value at the present day. Then there was Albert Ayling, who did some very good work. Among engravers there was John Dean, who had a shop in St. Peter's Churchyard. In more recent times there was William Monk, who was doing downright good work; he had etched some fine views of Chester, Oxford, London, and New York. His work brought good prices, and he (Mr. Taylor) believed would command higher prices in future. Then they must not forget they had two rising young sculptors who were regularly exhibiting at the Royal Academy—F. T. Haswell and James A. Stevenson. With regard to architects, they had had Harrison, Penson, Hodgkinson, and the "Abbey Square School"—Mr. John Douglas and his partners, including young Rimmer, whose early death was a great loss to Chester—and, of course, the Lockwoods.

Mr. H. B. Dutton, who followed, said John Musgrove, who was alluded to by Mr. Thos. Hughes as "that erratic genius" and "the most wonderfully minute draughtsman I ever knew," was born in one of the cottages at the foot of St. Mary's Hill. His father, a pensioner, was serving in the Invalids' Corps stationed at Chester in the time of the wars. The first Lord Westminster shewed an interest in the lad and obtained for him a good position in the Herald's office in London, but owing to a love affair he became almost insane, lost his berth, and came back to his native city. In 1832, while employed by Mr. Trubshaw, the contractor for the Grosvenor Bridge, he made a large drawing of the bridge with the pen—he never used the brush in any of his drawings to save labour in the shadows. Mr. Hughes considered that was Musgrove's masterpiece, but the



artist did not receive for it more than the miserable pittance of five shillings per week. One of his best friends was the first Marquis of Westminster. Musgrove had for a long time been increasingly addicted to drink, and he became so emaciated that he was obliged to enter the workhouse, where he died in a consumption. Mr. Hughes mentioned as one of the gems of his work the "Interior of an Engraver's Shop," and said Musgrove always considered that his best work. The portrait of Musgrove exhibited that night was by William Roose; it was dated 1838, and was presented to the Archæological Society by Mr. A. Blayney. With regard to William Jones: he lived in Queen Street, and in the Free Library they had two pictures of Mr. Harry Brown's ancestors by this artist, and there were two or three pictures in the corridors at Eaton painted by him. Mr. Dutton next directed attention to the catalogue of the sale by auction in the old Exchange of the books, pictures, etc., of John Broster, who was the son, he supposed, of Peter or John Broster, who brought out Broster's *Walk Round the Walls* in the latter part of the eighteenth century, and published small Guides to Chester. This particular Broster went to Edinburgh, and subsequently to the Isle of Wight. He formed some very novel ideas of how to cure stammering, and became a very successful expert in giving advice to people who were afflicted with it. Broster lived in a house in Brook Street, now the stationmaster's residence.

Mr. Frank Simpson, F.S.A., gave a short description of some of the pictures lent by Alderman William Vernon. Mentioning a very interesting picture of St. John's, which shewed more of the houses than any he had seen before, he recalled what was said to be the true version of the coffin in the wall at St. John's. A

lady who lived in one of those houses when a girl, had explained in a letter to her niece that the coffin was not found at St. John's but came from Nantwich Church, brought from there by canal. He (Mr. Simpson) believed that version was correct. He had mentioned it to Canon Scott, who said there were various versions in connection with it. Mr. Simpson directed attention to a drawing of altars found in Chester in 1779, to a print of the old Cross Keys, which stood on the site of Chester House, Northgate Street, to an old plan of Eaton Hall, to a number of old views of the Cathedral, the Castle, Abbey Square, the east cloister of the Cathedral (shewing the dormitories above), the Wool Hall, where the Music Hall now is, to a plan of the monastery of St. Werburgh, and to a picture of old St. Thomas's Chapel, which stood on the site of the present Deanery; the last-named had been brought by Mr. D. B. Jones, who said it was an enlarged photograph of a water-colour painting in the Deanery, formerly in the possession, he believed, of the late Dean Cotton.

Among other drawings pointed out by Mr. Simpson was a plan of Chester, interesting from the fact that it described the old streets and lanes, including Monk's Lane, Parson's Lane, Trinity Lane, Crook Lane, and others. He also shewed a drawing of the Earl's sword in the British Museum.

Mr. Taylor mentioned that in all the indictments of the old Palatinate courts a man was charged with an offence, not against "the king, his crown and dignity," but against "the earl, his sword and dignity." The sword of which they saw the drawing was supposed to be the sword of Hugh Lupus.

Alderman Vernon and others were warmly thanked for having contributed to so interesting an evening.



## Matthew Henry's Chapel.

By W. W. TASKER.

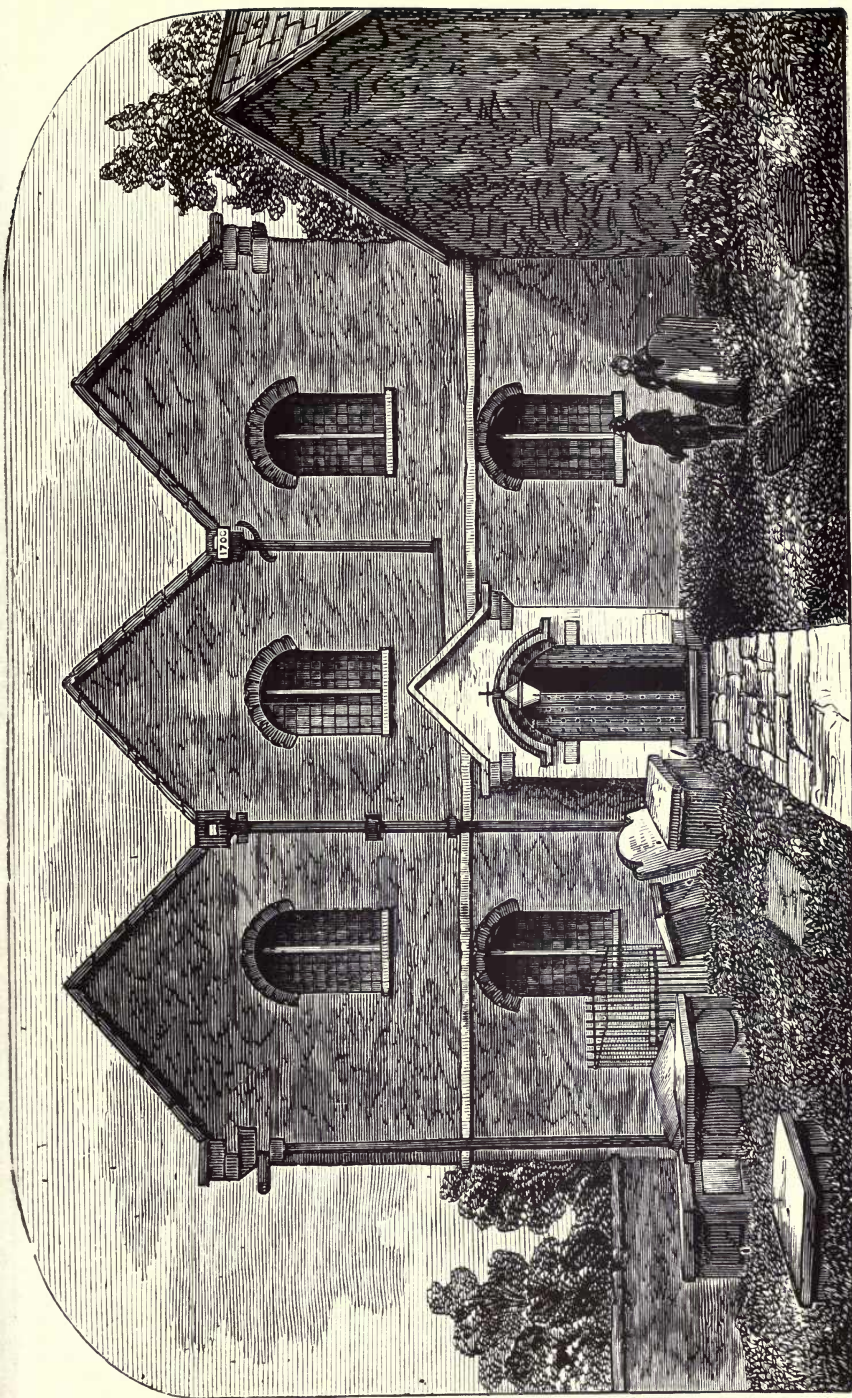
*(Read 15th February, 1916.)*



MUST crave your attention to this paper on Matthew Henry's Chapel, and I hope you will not be wearied by the story of how it came to be built, or by the references to people and events connected with it and with our old city. Whatever I have set down is purely historical and archæological, not tinged with any religious or political colour. There was so much to be said upon the subject, after investigating and reading various authorities, that I had some difficulty in describing briefly the origin of this the first Nonconformist place of worship in Chester.

Philip Henry, the father of Matthew Henry, was one of the ejected ministers who would not subscribe to the Act of Uniformity. In 1643 Philip was entered a scholar of Westminster School, London, and admitted a student of Christ Church, Oxford, in 1647. During the latter part of 1648 he journeyed to London and visited his father, John Henry, who was the King's servant and keeper of the orchard at Whitehall, and there he witnessed the beheading of King Charles I. Philip was engaged as tutor to the sons of Judge Puleston of Emral, and preached at Worthenbury on Sundays. He married a daughter of Mr. Daniel





Trinity Street front of Matthew Henry's Chapel, before the restoration in 1862.





Matthews of Bronnington on April 26, 1660, and his son, Matthew Henry, who founded the chapel, was born October 18, 1662.

Matthew attended the Free School at Whitchurch, and then went to London in 1680 (when he was nearly eighteen) to finish his education at a school kept by a Mr. Doolittle; while staying there he was stricken with fever and, when convalescent, returned home in 1681. To the surprise of friends and relatives (because it was always understood he was to have been a minister) Matthew went to Gray's Inn, 1685, as a Student at Law. Now that was the year his father was put in Chester gaol for being a dissenter, and kept there for three weeks. Matthew, who had come down from London, wrote to his father in prison from Willington Cross. Towards the end of October that year, 1685, he went back to London, and wrote home frequently, describing the persecutions and trials of Nonconformists and others, and of those who took part in the Duke of Monmouth's Rebellion. About the end of 1686 Matthew came on business to Chester and lodged with a Mr. Henthorn, who, knowing that he sometimes preached, got him to do so at his (Henthorn's) house. Matthew afterwards returned to London and many applications from the brethren at Chester were sent to him to come down and settle as a preacher; and in view of doing so he was privately ordained in London on May 9, 1687. In the latter part of May he returned to Broad Oak, his home, and in June (to use his own expression) "was fetched" to Chester, where he preached his first public sermon.

In 1682 there were three dissenting congregations in Chester, ministered to by William Cook, Ralph Hall and John Harvey, ministers of the Established Church

ejected from their livings for non-compliance with the Act of Uniformity. Mr. Cook was formerly at St. Michael's Church, Chester, and had been sent to the common gaol by the mayor for preaching in his own house; he died in 1684. Mr. Hall was ejected from Mear, in Staffordshire, and was imprisoned in Chester gaol for six months for breach of the Five Mile Act. He, too, died in 1684, shortly after his imprisonment. After the deaths of Mr. Cook and Mr. Hall their congregations were broken up and dispersed through the persecutions of the times, but occasionally met at each other's houses, or joined the congregation which assembled secretly at Mr. Harvey's house. Mr. Harvey had been ejected from Wallasey in Cheshire.

Piggott, in his *History of Chester*, 1815, says:—

“James II, under the pretence of universal toleration, but primarily with the view to establish Popery, granted Nonconformists the liberty of public worship” (of which they had been deprived in the latter part of Charles II's reign).

It was about this time that Matthew Henry began his ministry at Chester, and through the indulgence of the Government collected the remaining members of the congregations of Mr. Cook and Mr. Harvey. He opened a meeting-place in Whitefriars Lane, near the site of a house in Bolland's Court, in the garden of which is a summer house, where Matthew Henry is said to have written the greatest part of his *Commentary on the Bible*. Mr. Harvey had a separate meeting in Bridge Street, and Matthew Henry wanted him to agree and unite both congregations, and he (Henry) would be his assistant. Harvey refused and said they should each stand on their own bottom. In August, 1687, Matthew Henry married Katherine, daughter of Mr. Hardware of Bromborough Court; on this account

the family came to Chester. Upon Mr. Harvey leaving his house in the Friary and removing to Bridge Street, which was more convenient for his meeting-house, Matthew Henry took it and lived there about twenty-two years.

In September, 1687, King James II, in his Progress, came to Chester, when (in the words of Matthew Henry) :—

“It being intimated to us that it would be expected, and the Churchmen having led us the way, and divers Lancashire Ministers being come hither to attend him, Mr. Harvey and I and the heads of our Congregations joyn'd in an Address of Thanks to him. Not for assuming a Dispensing Power, but for our Ease, Quiet, and Liberty under his Protection; we presented it to him at the Palace: he told us he wish'd we had a Magna Charta for our Liberty. We did not promise to assist in taking away the Tests, but only to live quiet and peaceable lives. And since we have been reproach'd for making that Innocent inoffensive address to the King to return him thanks for our Liberty, we cannot but remember that at the same time, Sir Richard Leiving, then Recorder of this City, made a speech to King James at his entring into the City, wherein he told him ‘That the Corporation was his Majesties Creature and depended upon the will of its Creator: and that the Sole Intimation of his Majestie's Pleasure should have with them the force of a Fundamental Law.’”

The Corporation in their robes met King James at the Bars and escorted him to the Bishop's Palace. It was on this visit to Chester that the king heard Mass in St. Mary's Chapel, or Chantry, in Caesar's Tower, the Castle. There was a reason for Matthew Henry referring in contemptuous terms to the servile speech from the Recorder on behalf of the Corporation, because in 1684 the Charter of the city had been surrendered and a new one granted which restricted the powers and



privileges of the Corporation. The following extract from Rev. H. D. Roberts' *Matthew Henry and His Chapel*, gives Matthew Henry's account of the event:—

“Power was reserved to the Crown to put out Magistrates and to put in at Pleasure; This precarious Charter was joyfully accepted by those that were for surrendering the old one, that Alderman Mainwaring and some other Aldermen of the same honest Principles might be turn'd out, and none but those of their own Kidney taken in. By this Charter Sir Thomas Grosvenor was the first Mayor, Alderman Wilson the 2d, Alderman Olton the 3d, and Alderman Starkey the 4th. In the latter end of his time about August, 1688, one Mr. Trinder came to this Town for the new modelling of the Corporation according to the Power reserved to the Crown by the New Charter; he apply'd himself to me, told me the King thought the Government of this City needed Reformation, and if I would say who should be put out, and who put in their Places it would be done; I told him I begg'd his Pardon, that was none of my Business, nor would I in the least intermeddle in a thing of that Nature. However, he got his Instructions from others; the New Charter was cancell'd, and another sent of the same Import, only altering the Persons, and by it all the Dissenters of Note in the City were brought into the Government, the Seniors to be Aldermen, and the Juniors Common Council men, and Sir Thomas Stanley, Mayor. This Charter was brought down, and the Persons call'd together to have notice of it, and to have the time fix'd for their being sworn. But they, like true Englishmen, unanimously refus'd it, and desir'd that the Ancient Charter might be restor'd, tho' they knew that none of them would come into Power by that, but many of them that were their bitter enemies would be restor'd by it. This I take to be a memorable instance both of the Modesty of the Dissenters, and a proof of how far they are from an affectation of Power, the top of their Ambition being to live quiet and peaceable Lives in the free exercise of their Religion according to their Consciences, As also their inviolable Fidelity to

the Rights and Liberties of this Country. Accordingly the old Charter was restor'd in the same state wherein it was when the Tories surrender'd it, by which Mr. Alderman Street was Mayor, and Mr. Robert Murray, Sheriff, his partner Mr. Welands [?] being dead."

In May, 1687, the Act of Toleration was passed, granting liberty of Public Worship. Mr. John Harvey, the minister of the Bridge Street congregation, died in November, 1699.

Finding that the old meeting place at the White Friars, now the site of Dr. Newall's house, Bolland's Court, was inconvenient, it was decided to build the chapel associated with the memory of Matthew Henry. Consequently, in September, 1699, the foundation was laid, and the chapel was opened for public worship August, 1700; £532 16s. 1d. being the money paid for the land and building.

Mr. Jonathan Harvey, who had succeeded his father as minister of the Bridge Street congregation, failed in health, and through some disagreement with the landlady of the house in which his flock met he resigned September, 1706, whereupon the greater part of his people joined Matthew Henry's Chapel. This Mr. Harvey the younger died in April, 1708.

In May, 1707, the gallery was added, at a cost of £85 os. 5d., to accommodate Mr. Harvey's Independent congregation. Matthew Henry, in these plain and unmistakable words, refers to the addition to his flock:

"And now I reckon we came to be 350 communicants, and about 300 ordinarily present. And Blessed be God, a great deal of comfort and unanimity among us, and my ministry well accepted; for which I praise the Lord."

About this time it was a common practice for the Presbyterians and Independents to worship in one chapel and have separate ministers, as at Leicester and

Andover, which very often led to differences. But the two congregations at Chester were under one pastor, until they split in 1768 through theological disputes.

The congregation at Hackney, London, having asked him to become their pastor, Matthew Henry went there about the middle of July, 1710, and returned to Chester the first Sunday in August that year. In May, 1711, he went again, and stayed until the end of July, and, he remarks,

“ I never had been till that journey so much as one first Lord's Day of a month out of Chester since I first came to it 24 years ago.”

He preached his farewell sermon, May 11, and on May 12, 1712, he finally removed from Chester for Hackney; leaving there about two years afterwards, he retired to Sweetbriar Hall, Nantwich, where he died of apoplexy on June 22, 1714, aged 52.

Matthew Henry's body was brought to Chester, and on the funeral procession (consisting of ten coaches) arriving, it was met by eight clergymen of the Establishment and many dissenting ministers. He was interred in the family vault, within the Communion of Holy Trinity Church. His widow (who was his second wife) placed a memorial brass by the right side of, and nearly on a level with, the communion table. This brass was removed during the restoration of Holy Trinity Church and the building of the spire, about 1863, and is now fixed on the right-hand wall of the south aisle near the end window.

The following is a translation of the Latin inscription on this memorial plate. It proves the goodness of Matthew Henry that his second wife thought well to do this, and also to mention his first wife,

"Near this place Katherine Henry only daughter of Samuel Hardware Esq. and the beloved wife of Matthew Henry, Minister of the Holy Gospel, laid down her mortal remains, who on the occasion of her first delivery, died of small pox, and removed to her own country on the 14th February 1688-9 in the 25th year of her age. (Her infant daughter survived her.) Her bereaved husband buried her in tears.

The above-named Matthew Henry, after laboriously discharging the duties of piety and his ministry, committed to this resting place his body, worn out by exertions bestowed in investigating and commenting upon the Sacred Writings, on the 22nd June 1714 in the 52nd year of his age.

He left an only son and five daughters whom he had by Mary the daughter of Robert Warburton Esq. his now disconsolate widow."

"In confirmation of the above memorial the following is transcribed from the Parish Registry of Burials for 1714, kept at Trinity Church :

'Matthew Henry. Clerk. June 25th.'"

From Romney's *Chester*, 1853.

The ministry of Matthew Henry in Chester lasted about twenty-five years. As will have been observed, he was twice married: first, in August, 1687, to Katherine Hardware, who died of small-pox, February, 1688, at the early age of 25, leaving an infant daughter; and secondly, to Mary Warburton, daughter of Robert Warburton of Grange and Elizabeth Berkeley his wife. His second wife, Mary, survived him, and had nine children, six of whom were living at the time of his death. One only was a son, named Philip, who having adopted his mother's maiden name of Warburton became one of the Members of Parliament for Chester in 1747; the other member being Sir Robert Grosvenor.

Matthew Henry was an excellent Hebrew scholar, and utilized his knowledge in writing his famous



*Commentary on the Bible*, which was issued in five volumes, folio, the first volume being printed in 1706. Besides several single sermons which he published, he was the author of *A Discourse concerning the nature of Schism*, 1689; *The Life of Mr. Philip Henry* (his father), 1696; *A Scripture Catechism*, 1702; *Family Hymns*, 1702; *The Communicant's Companion*, 1704; *Four Discourses against Vice and Immorality*, 1705; *A Method of Prayer*, 1710; and *Directions for Daily Communion with God*, 1712.

During his life he was greatly loved and respected, and the candour and kindness of his mind are clearly shown from the closing words of the sermon he preached at the opening of his chapel, August 8, 1700:

"Be at peace with those from whom you differ in opinion, and receive them not with doubtful disputations. Carefully watch that a diversity of communion cause not an alienation of affection. But be as ready to do every office of love, and kindness, and respect to those from whom you dissent, as to those with whom you consent; resolve, though you differ from them, you will not differ with them. If our separation be not Schismatical in its own nature (as for my part I am satisfied it is not) let us not at any time make it so, by our uncharitable censures, or unchristian heats and passions."

Another proof of his kindliness appears in Mr. Frank Simpson's *History of St. Peter's Church* (pp. 58 and 59), published in 1909:—

"A society was formed in August, 1698, for the reformation of manners. A monthly Friday evening Lecture was given at St. Peter's to promote this good design.

The celebrated Nonconformist, Matthew Henry, appears to have been a constant attendant at these lectures, and many entries in his diary regarding them are interesting. The Bishop of the Diocese (Nicholas Stratford), was the first preacher. Then followed Dr. Fogg, the Dean. Matthew Henry says:

'This good work was first set on foot in that city (Chester) by those of the Established Church. They were happy in a Bishop and Dean that had the interests of practical religion very much at heart. Dr. Stratford and Dr. Fogg, men of very great learning and true piety, both excellent preachers, and greatly grieved at the open and scandalous wickedness that abounded in the city and everywhere throughout the nation.'

Mr. Henry declares the great pleasure he had in hearing the Bishop's sermon :

'I greatly rejoice (says he) in his public testimony borne against the wickedness of the wicked, and I bless God for it.'

With regard to the Dean's sermon he observes :

'It was an excellent discourse, very much to the purpose, pressing home the necessary duty of beating down sin and wickedness.'

and he adds :

'I bless God for this sermon ; and as I have from my heart forgiven, so will I endeavour to forget all that the dean has said against Dissenters, and against me in particular. Such preaching against sin, and such endeavours to suppress it, will contribute as much as anything to heal differences among those that fear God.'

Mr. Henry appears to have been associated with the clergy in many good works, and, although at this time a Nonconformist, was allowed to baptize and preach in the Established Church."

But there was a sequel to this movement for the "Reformation of Manners" started by Bishop Stratford and Dean Fogg. The good work had a great many enemies who began openly to deride and oppose it, and form parties and interests against it. So the good Bishop and Dean asked that the Dissenters should form a society for the same purpose. A meeting was held at Matthew Henry's house, July 22, 1700. Plans and methods were arranged to further the object, and, some days later, Matthew Henry interviewed the Dean, who

encouraged him and his friends to carry them out. A few months afterwards the lecture at St. Peter's was preached by one of the curates from Winwick, Lancashire, who condemned the Dissenters helping on the movement because they were schismatics. Those churchmen who favoured the movement sent word to the Dissenters' society to go on with the good work, notwithstanding the remarks made by the parson in his sermon. But the opposition was too strong for them all, and the profaneness of their enemies such that Matthew Henry notes in his diary on October 13, 1700:

"My brother Hulton on Lord's day was seven nights observing the churchwardens of St. Peter's, with a strange minister and others, go to Mr. Holland's Alehouse and sit there three hours, and told the Recorder of it; and Mr. Hulton desired his lordship to admonish them. They set light by the Bishop and challenged the Magistrates to fine them. Whereupon Mr. Hulton was summoned to inform against them, and did so; and they were fined, but were very abusive to him."

The minister who succeeded Matthew Henry was Mr. John Gardner; he continued in office from 1713 until his death on November 2, 1765. He was buried, near the remains of his predecessor, in Holy Trinity Church, Chester.

Mr. John Chidlaw was co-pastor with Mr. John Gardner for the fourteen years ending in 1765, and on the death of the latter he became sole minister of the chapel and held that office until 1798. Mr. Chidlaw died in 1800, leaving £100 to the chapel, and is buried in the chapel-yard. Thus the first three ministers occupied the pulpit for one hundred and eleven years.

My chief reason for mentioning Mr. John Chidlaw is that he preached and published a very remarkable sermon in the chapel on November 8, 1772, entitled

*A Serious Call to regard God's Judgment*, on the great explosion of gunpowder on November 5, 1772 (Guy Fawkes' Day), under a large building in Watergate Street Row, in which was being held a Puppet Show. Forty people were killed on the spot and eighty-three injured; in all, one hundred and twenty-three. From that day to this, the locality is associated with the event by a passage, leading from Watergate Street Row, South, to Commonhall Street, still known as Puppet Show entry. I have read a copy of the sermon, and from its contents one is led to understand that the preacher believed it to be a judgment from God upon the wickedness of the people for attending such entertainments, and a reminder for the citizens generally to lead better lives. It is a very serious and solemn exhortation.

To commemorate the life of Mr. Chidlaw, the broken portions of the original gravestone have been cemented together and relaid on to a new flagstone. The old inscription, which read :

" Underneath lie the remains of the  
Rev'd. John Chidlaw  
Who departed this life,  
the 15th day of November, 1800,  
Aged 73."

has been recut over the original lettering. Below this inscription, on a small marble inset tablet, the following words have been inscribed :—

" This stone was restored by subscription, Dec. 1908, in memory of the first Socinian minister of this Chapel, co-pastor with Mr. John Gardner 1751-1765, sole pastor 1765-1798. His Theology caused the Trinitarian Secession 1768, resulting in the founding of Queen Street Chapel, 1777. Preacher of the Historic Sermon on the Watergate Street Puppet Show Explosion, 5th Novr, 1772."

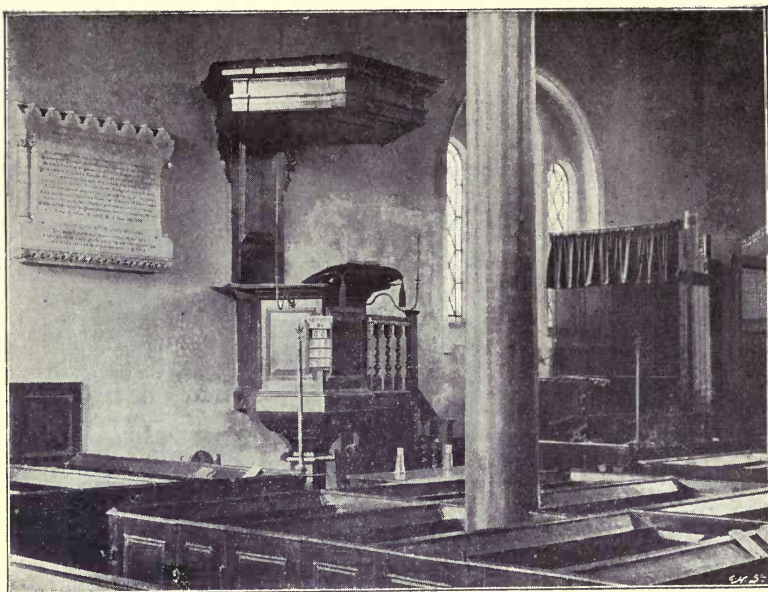


About 1768 a Secession took place, some of the congregation (mainly those worshipping in the gallery) leaving, because Mr. Chidlaw was not considered quite orthodox. These seceders at first held their meetings in a room belonging to the Smiths' Company, situated in a part of St. Ursula's Hospital, adjacent to the old Common Hall, on the south side of Commonhall Street. They had no permanent minister until one was found in 1772, in the person of the Rev. William Armitage. Some five years later, in 1777, they founded the Congregational Chapel in Queen Street upon the Independent principles of Church Government, and definite articles of belief were set out in the Trust Deed. By way of contrast I should like to point out that the Trust Deed of Matthew Henry's Chapel only stipulated that the place was built for the "Worship of God," which allowed great latitude to the ministers and did not bind them to any fixed doctrine or creed, so that in course of time, and of the evolution of religious thought, it gradually developed into Socinianism or Unitarianism.

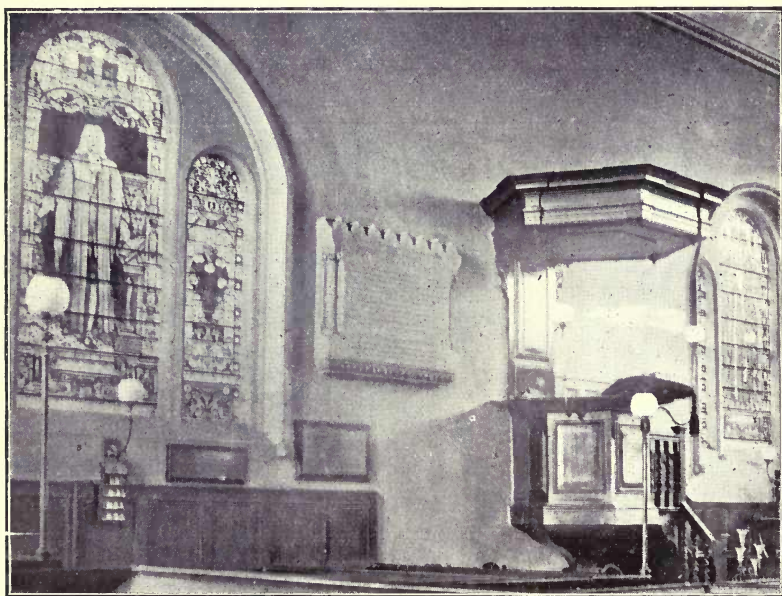
In 1844 a partition wall was built under part of the gallery to make the space behind into a schoolroom, and the chapel was re-pewed. Up to about 1845 the old steps outside the chapel, leading to the gallery from the west (or Trinity Street) end of the building, were in existence; they were shortly afterwards taken down. But there still remains an outside staircase at the eastern end of the chapel.

The year 1862 (two hundred years after the birth of Matthew Henry) saw the old almshouses removed from before the chapel and erected where they now stand. The chapel was re-fronted, a new porch built, and a stone tablet fixed to the wall on the left side of the pulpit in loving memory of Matthew Henry. The





Showing the original Pulpit and Communion Table,  
and a Tablet erected in 1862, on the Bi-centenary of Matthew Henry's birth.



Matthew Henry Window,  
to commemorate the two hundredth anniversary of the Chapel.  
Given by The Right Honble, Sir John T. Brunner, Bart.

total cost of these structural alterations and the tablet was £930. The inscription on the tablet is as follows:—

“In Reverent Remembrance of Matthew Henry, Minister of this Congregation from 1687 to 1712. His great Abilities and various Attainments were consecrated, In unwearied Labours to the Highest Interests of his Fellow-men, He was a Learned, Sagacious, and Devout Expositor of Scripture: An attractive Teacher: a faithful Pastor: an assiduous Evangelist: And an eminent example of Christian Character ripened Into Spiritual Maturity by unwavering Faith and Fervent Prayer. A Nonconformist from deep Conviction and Fidelity to Conscience: He delighted in a Holy Generosity, and Diversity of Communion neither alienated his Affection, nor restrained his Charity: And both Churchmen and Nonconformists devoutly cherish his memory

Born October 18: 1662. Died June 22: 1714.

To commemorate the Bi-centenary of his birth:

This Chapel, of which he was the Founder, was Refronted.  
And the adjacent Alms Houses Rebuilt in 1862.”

I believe the wording was the joint composition of the Rev. Charles Wicksteed and the Rev. J. K. Montgomery.

In 1899-1900 the chapel roof was restored, the old flat ceiling taken down and the present coved ceiling substituted, disclosing for the first time the beauty of the arches (the pillars supporting the same are made of wood, I believe oak): the gallery floor was renewed, and other necessary repairs (caused through dry-rot) were carried out, costing about £900.

The bi-centenary of the chapel and its re-opening was celebrated on October 28 and 29, 1900. Sir John Brunner, Bart., M.P., one of the chapel trustees, in the course of his address offered to defray the cost of the two splendid, artistic, stained-glass memorial windows to Matthew Henry and Dr. Martineau, and so com-



memorate permanently the two hundredth anniversary of the chapel. They add considerably to the beautifying of the venerable place, and keep green the memories of two worthy Christian men. The unveiling of the windows by Sir John Brunner took place on January 10, 1902.

Brass tablets have been placed on the wall above the pews of Major Bryan Johnson and Sir Thomas Gibbons Frost, knight, in memory of two old members of the chapel and lifelong trustees. The tablets were fixed respectively in 1904 and 1905, and the inscriptions are as follows:—

“To the memory of Bryan Johnson;

Born 29th November 1823; Died 28th May 1903.

During his life he was a constant worshipper in this chapel, and for forty-two years one of its trustees. By his integrity and kindliness, he won for himself the high regard and esteem of his fellow citizens, and to record their affectionate remembrance of him this tablet is erected by the members of the congregation.”<sup>1</sup>

“Erected

by members of the Congregation and friends

to the Memory of

Sir Thomas Gibbons Frost, Kt.

Born 20th Sepr. 1820. Died 6th April 1904.

Thrice Mayor of this City.

A life-long member of this Chapel, and for 62 years one of its Trustees.

*Requiescat in Pace.”*

In 1908 the gallery was removed to make the room underneath loftier and more suitable as a schoolroom; also the openings between the arches in front of the gallery filled with a glass screen, and a small gallery made at the east end of the room, which is entered by

<sup>1</sup> This brass is mounted upon an oak tablet made from old timber of the chapel, taken out at the restoration in 1899-1900. It was unveiled Sunday morning, January 27, 1904.

the old steps built when the large gallery was put up in 1707. A new heating apparatus was also installed, the cost of the same being defrayed by the congregation and friends, supplemented by the legacy of £100 left by the late Miss Moreland, who died February 23, 1906, aged 81. She was a daughter of Thomas Moreland, a well known watch and clock maker of Northgate Street, Chester. Miss Moreland was the last of her family and a life-long member of the congregation, as were her father and other relatives. A memorial brass is affixed to the wall adjoining the family pew. A new kitchen and other conveniences were built, mainly at the instigation and with the generous help of Mr. Thomas Arthur Johnson, of West House, Hartford, near Northwich, one of the managers of Brunner, Mond & Co. Ltd., and a nephew of Bryan Johnson before referred to. The cost of removing the gallery and making the new kitchen, etc., amounted to £605 18s. 9d.

On January 26, 1916, took place the re-opening (after reconstruction) of the organ, and the unveiling of a memorial brass to the late Miss M. K. Montgomery. The inscription on the brass is:

"To the Glory of God. This Organ was restored by members and friends in remembrance of Mary Katharine Montgomery, B.A. Born 28th Nov. 1868. Died 24th Nov. 1914. A life-long worshipper in this Chapel, of which she was a Benefactor and Trustee; and an earnest worker in the Sunday School. 26th January 1916."

The cost was about £100, all work being done by Chester tradesmen. This organ originally came from Bangor Cathedral, and was fixed in the gallery; it was subsequently installed at the east end of the chapel on June 25, 1879. There was given for it the sum of £100 in cash, together with the old organ that used to be in the gallery. In the chapel accounts for 1819 it is shown

that the last named organ was acquired and paid for in the following manner: £125 was paid for it including fixing up, and £16 15s. 6d. for various extras; and the total cost of £141 15s. 6d. was met by subscriptions from members of the chapel and the proceeds of the sale of an old violoncello for £3. Probably up to that date the music was furnished by the usual orchestra common in the churches and chapels at that period.

I must briefly refer to one of the later ministers, Simon Frederick Macdonald, 1856 to 1859. Born at Aberdeen 1822, educated there and at Bonn in Germany, he tried to introduce the Congregational method of church government. The trustees resented his reforming ideas, and would not listen to the congregation having any general management of chapel affairs, for they, vulgarly speaking, "bossed the show." He resigned his pastorate in a long letter addressed to the Congregation of Crook Street Chapel (one entrance of Matthew Henry's Chapel is in Crook Street), dated May 8, 1859, from which I give this extract:—

"I believe in the right and duty of every Christian Society to choose its own leaders and to regulate its own affairs. That right has hitherto been denied to you. You have been ruled by an irresponsible despotism, and unfortunately, a despotism but faintly tempered by wisdom. Against this I have protested and I hope at last with success. I gladly therefore offer myself a sacrifice for your benefit. Such is the simple issue between myself and the governing body of this Society. It has no relation whatever to Christian Doctrine, or to Moral Character: it is solely a question how Chapel business should be conducted."

The following is a copy of the letter sent by the trustees in reply:—

"Redcliffe, Chester,

Rev'd. S. F. Macdonald, Chester.

13th May, 1858.

Dear Sir, At a meeting held in the Vestry on the 11th

inst. your letter dated the 8th was read, and the following resolution passed, it being distinctly understood that your engagement with Crook Street Chapel terminates on the 29th September 1859. 'That Mr. Macdonald's tender of his resignation having been read: it was moved, and seconded, and carried with only one dissentient that it be accepted.'

I am, Yours respectfully,

Thos. G. Frost, Treasurer."

Mr. Macdonald left Chester and went as minister to Blackwater Street Chapel, Rochdale, from 1860 to 1862, where he died January 9, 1862, aged 40, in the zenith of his powers as Preacher, Poet and Scholar. His "Ode to Chester," of eleven verses, graphically describes the various phases of history and incidents connected with our ancient city, and at the great pageant that was held in July, 1910, the first three and the last two verses were set to music composed for the occasion by our Dr. Bridge, who admirably expressed their sentiment. I set out those five verses:—

"Upon the banks of Deva,  
That ancient Celtic stream,  
A grey old City standeth,  
Of centuries the dream.  
Of centuries the relic,  
Of former days the pride,  
When Saxon Churl and Norman Earl  
Did England's strength divide.  
Engirt with walls it riseth  
Above the plain around,  
By tower and bridge defended,  
By castle, moat and mound;  
E'en now those time-worn ramparts  
Its fame and power attest,  
When erst the land it did command,  
And sentinelled the west.



But ah ! how many changes  
 Have these old walls beheld,—  
 How many a victor vanished,<sup>1a</sup>  
 How many a queller quelled !  
 What tides of population,  
 Have rolled around this spot,—  
 Have spent in strife their little life,  
 And been at length forgot !

. . . . .  
 We greet thee, noble Chester !  
 We greet thy kingly men,  
 As from the mists of story  
 Once more they rise again.  
 Thy time-scathed walls we honour,  
 Thy crumbling towers revere,  
 Thy sacred aisles, thy hoary piles,  
 That bring the distant near !  
 Long be thy dwellings joyous,  
 And bright thy household fires ;  
 Thy children brave and loyal,  
 And worthy as their sires !  
 Long may thy sons be nurtured  
 In noble acts of peace—  
 In faith and truth, best gifts of youth,  
 And still those gifts increase ! ”

Macdonald wrote many other poems, but the only other example I know of is a hymn of aspiration and hope, *The Church of the Future*.

This account of the chapel and some of its divines would not be complete without a reference to the late Rev. John Knowles Montgomery, who succeeded Mr. Macdonald, and was minister from 1860 to 1896. He was a man of untiring energy and force of character, and accomplished what his predecessor could not do, as he introduced the Congregational form of church management. John Knowles Montgomery was one of the leading founders and secretary of the Victoria Road

<sup>1a</sup> So in original leaflet ; an obvious slip for “vanquished.”

and Boughton British Schools, and was always associated with any movement in the city for the moral, religious, and civic uplifting of its people. Until within a short time of his passing away, on September 20, 1908, he continued helping on the work of education under the new Act. Truly he was one of the grand old men of Chester. His family have placed a memorial brass in the chapel to him and his wife, inscribed thus:—

“To the memory of the

Revd. John Knowles Montgomery, Minister of this  
Chapel 1860 to 1896. Who died September the

20th 1908, in his 93rd year. And of

Mary his wife, Daughter of the Revd. C. J.

McAlester of Holywood, who died January 26th  
1893, aged 56 years.

This Tablet was erected by their children.”

The Rev. Henry David Roberts was minister from 1896 to 1900: the author of *Matthew Henry and his Chapel* (published May 1901). During his stay in Chester he was an active worker in favour of improved dwellings for the working classes, and other forward movements of a similar kind. He is now in France with the British troops fighting for the Liberty, Justice and Honour of the Allies. He is not the only one connected with the chapel so to do his duty: nearly fifty Sunday School scholars and members of the congregation, past and present, are at the front fighting for King and Country. God grant them victory! and may all come home again to receive the thankful tributes of a grateful people for their sacrifices in defence of our dear native land.

There are several Trusts and Charities left by members of the congregation, ranging from 1709 to 1797: “For the Education and Maintenance of young men studying for the Ministry”; “Pensions to three Dissent-

ing ministers and three widows of ministers"; "Alms-houses for four poor women, with a weekly allowance of money and coal in the winter"; and "Pensions only for two poor men."

There are also various small legacies invested for the purpose of augmenting the minister's stipend, but these do not amount to much. It is a common error of many to believe there are large endowments for the minister's salary, whereas the congregation is heavily taxed to keep up the same.

The late Miss Humble, of Vicar's Cross near Chester, one of the members of the chapel, gave between £6,000 and £7,000 towards the Manchester Home Missionary College (established about 1854) for training Unitarian ministers.

Entered in the books of the chapel as members and trustees, in the past and at the present time, are names of many of the old families of Chester, professional men, merchants, manufacturers and leading tradesmen, and in many cases their descendants are living now. The Moulson family must be noted amongst these; they were tobacco manufacturers, whose warehouse and shop is now the Grosvenor Garage, opposite the Grosvenor Hotel. Dr. George Harrison of White Friars, is a descendant of Sarah Moulson, daughter of one Thomas Moulson, a tobacconist; she married his grandfather, also a Dr. George Harrison. She had a brother Thomas, who was in partnership with Cropper (another member of the congregation) as tobacconists. They took an active part in the Parliamentary Elections and are lampooned in one of the Grosvenor songs for 1812, written as a counterblast to the well known Egerton song the "Glorious 6th of May," commemorating the Egerton victory in 1807:—

"1812. Chester Election Poll Book.  
THE RETREAT OF THE PATRIOTS.

A SOLEMN DIRGE.

ADAPTED TO THE 'SIXTH OF MAY.'

Printed by the *Chester Chronicle*.

J. Fletcher, Editor.

In solemn step—and hand in hand—

The fair 'Virginian Brothers'<sup>2</sup> lag!

Resign Commissions, and Command,

Resolved to stick to snuff and shag!

In calendar, the Sixth of May

No more illumes red-letter day."

"HISTORY OF THE CONTESTED ELECTION IN  
CHESTER, 1812.

Written, arranged and compiled, By the Editor of the  
*Chester Courant*, Chester. Printed and Published by  
John Monk at the *Courant* Offices, in Newgate Street.

Candidates.

John Egerton, of Oulton Park, Esq. and

E. J. Townshend, of Wincham, Esq,

against

General Grosvenor, and

Sir Richard Brookes of Norton Priory.

THE INDEPENDENT CREW.

To the tune of Bow, wow, wow.

Next in the Presbyterian throng

The M---l---s<sup>3</sup> first appear, sirs.

And H---mp---s, Cr---pp-r,<sup>4</sup> Ly---ns<sup>5</sup> bold,

With Unitarian sneers, sirs;

With long faced preachers at their backs,

Of true Religious sect, sirs;

And T---yl-r, W-----ms--., and L---w-,<sup>6</sup>

All three of the elect, sirs.

Chorus.

Bow, wow, wow!

Long may the Talbot stand to bow, wow, wow."

<sup>2</sup> Moulsons, tobacco manufacturers.

<sup>3</sup> Moulsons. <sup>4</sup> Cropper, Moulsons' partner.

<sup>5</sup> Rev. James Lyons, minister of Matthew Henry's Chapel, 1808-1813.

<sup>6</sup> Lowe, ancestor of the family of silversmiths of that name.



Sir Thomas Moulson, baronet, Lord Mayor of London, 1634, is of the same family; he founded the church and grammar school at Hargrave, 1627.

The names of the present mayor of Chester, Mr. John Meadows Frost, and of his sisters and brother, Mr. T. Gibbons Frost, are entered in the baptismal register of the chapel; and those of their grandfather, father and uncles occur in the chapel register as members of the congregation.

The late Mr. Henry Wood (of Henry Wood & Co., Anchor Works, Saltney); his son, Mr. Albert Wood, of Bodlonddeb, Conway, the generous donor and supporter of the Chester Royal Infirmary, his late brother and sister, Mr. Swinford Wood, the well known artist, and Lady Thomas Gibbons Frost (the mother of our present mayor), were worshippers at the old chapel.

The late John Evans Brassey, ironmonger, whose sons, Mr. Ernest Brassey, City Coroner, and Mr. Herbert Brassey, ironmonger (since deceased), with their brothers and sisters, were baptized at the chapel.

All the Johnson family. Bryan, who founded the Hydraulic Engineering Company, Chester, well known in his day; his nephew Mr. T. Arthur Johnson, a prominent representative of the family of the present time, one of the managers of Brunner, Mond & Co. Ltd., Northwich.

J. Nicholls, the tobacconist. Mentioned frequently in the chapel minutes of the past; Messrs. William, Thomas and Frederick Nicholls, of the tobacco firm of that name (at the Cross), founded 1780, being his present representatives.

#### THE CHAPEL PLATE.

Queen Anne Porringer. The "Matthew Henry" cup. It is a fine silver porringer, fluted, four and a half

inches high, five and a half inches in diameter. On a shield between the handles are engraved the initials "M.H." London Date-letter 1703-04.

George I. Porringer. The "Statham" Cup. A fine silver porringer, fluted and elaborately worked. Five and a half inches high, five and a half inches in diameter. On a shield surmounted by a cherub's head and wings is the inscription:

"The gift of Mrs. Hannah Statham to the Trustees of the Chapel in Chester, to be used at the Lord's Supper. 1732."

On the base, in a different style of lettering from the inscription on the front, is engraved:

S.  
I. H.      London Date-letter, 1723-24.

George II. Cups. The two "Bevan" chalices, silver, eight and a half inches high, plain bell-shaped bowl, stem, knop, and foot. Inscribed round each bowl:

"The Legacy of Mrs. Mary Bevan to the Presbyterian Congregation in Chester 1745." London Date-letter, 1745-46. Made by Richard Bayley, London, Maker of Communion Flagons.

Six plain Pewter Patens, or plates.

Two Pewter Flagons, with lids, handle, beak, plain.

Mr. E. Alfred Jones, in an article in the *Magazine of Fine Arts*, for February, 1906, upon Nonconformist Communion Plate, says:—

"The Nonconformist communion cup in the large percentage of cases, takes, as will be observed, the form of the domestic porringer, first introduced early in the seventeenth century for the possets and hot drinks then in vogue, and of the later kinds of two-handled drinking-cups; and it is supposed that these types of cups were adopted by some of the earlier Nonconformists, not, as has been suggested, as a protest against the more sacerdotal communion cup largely prevailing in the Church of England, but as loving-cups pure and simple—a mere

transference of secular customs to religious usages, the two handles of these cups rendering them easily handed from one communicant to the other while remaining seated in the body of the chapel, as is so largely the custom to this day."

"The Unitarian body is especially rich in old silver communion plate, many of the pieces having been family possessions transferred to the service of God."

Probably this explains why the Matthew Henry cup is only inscribed with his initials, "M.H.," giving no indication that it was used for a sacred purpose.

. . . . .

During the lecture there were exhibited various objects of interest lent by the chapel trustees, the Archæological Society, and Mr. W. E. Brown, including: the chapel plate, trust deed with Matthew Henry's signature thereto, his journal containing references to events connected with Chester and the chapel, conveyance of the land on which the chapel is built in Trinity Street, minute books, baptismal and other registers, copies of the sermons preached by Matthew Henry at the opening of the chapel and by the Rev. J. Chidlaw on the puppet show explosion.

In the chapel is the original oak pulpit shaped like a chalice and surmounted with an hexagonal sounding board, oak communion table and five old oak chairs; also, in the vestry, a writing table said to have been used by Matthew Henry when compiling his commentaries on the Bible.







## Hatton Hall.

By J. H. F. BENNETT.

*(Read 15th February, 1916.)*

**N**OTWITHSTANDING the many points of interest afforded by the study of an ancient church or fortification, an old domestic building—the stage on which so many generations have entered the world, played their little part, and made their exit—possesses an attractiveness which should not be underestimated.

Cheshire, like other counties, has its fair proportion of ancient halls and manors, many of them fallen from their old estate, but still exhibiting remnants of vanished glories. In the great majority of instances, however, the original buildings have altogether vanished, and the only record of their appearance is to be found in stray notes or sketches left by some painstaking antiquary of bygone days.

Among the fine old houses that have disappeared may be included Hatton Hall, near Waverton—a specimen of the domestic architecture of the early part of the sixteenth century. William Webb, writing in 1622, speaks of the

“very large demain of Hatton, a seat of one branch of the great and famous race of the Duttons of Dutton, and the house, a fair ancient Building in the midst thereof,”



as being possessed by Mr. Dutton of Hatton.<sup>1</sup> The estate, which was held of the sovereign in socage,<sup>2</sup> came into the possession of this family by the marriage of a younger son of Sir Thomas Dutton, of Dutton, with a co-heiress of the Vernons of Hatton, a branch of the Shipbroke family, who, in turn, had inherited the estate through an heiress of the Hattons.

The history of the old hall is interwoven with that of its successive owners, and to enlarge upon that subject is beyond the scope of these notes. I may, however, relate a few incidents in which the hall has figured as a setting.

In 1537 a number of charges were made against Sir Piers Dutton, in his capacity of sheriff of the county, and one of his creatures, a coiner and poacher named Fieldy, was sentenced to death. Sir Piers, evidently fearing to leave the man in the charge of any but his own party, lest he himself should be incriminated, took Fieldy from out "the King's castell at Chester," and conveyed him "to his howse at Hatton and there continued and kept hym untill the sat'day . . . and then put hym to execucon at Boughton." Fieldy is said to have "openly desired and required to have a discrete gostely ffather to here his confession, notw<sup>t</sup>standing that there was a p<sup>t</sup>st appoynted unto him at Hatton by S<sup>r</sup> Peires Dutton to here his seid confession there, who by comaundement of the seid S<sup>r</sup> Peires hadde byn w<sup>t</sup> the seid Fieldy at Hatton foreseid the day before, being fryday, all day, and" who had on "the same Sat'day com w<sup>t</sup> hym from Hatton to the seid place of execucon." It was said that other priests who offered their services were not allowed to approach the prisoner

<sup>1</sup> King's *Vale Royal*, part II., p. 59.

<sup>2</sup> *Memorials of the Duttons of Dutton*, p. 218.

by the servants of Dutton, who suffered only the above-mentioned priest, who was stated to be "the assured lover and ffrende of the same S<sup>r</sup> Peires and calleth hym maister, and hath a yerely ffee or wage of the seid S<sup>r</sup> Peires of twenty shillings st'ling during his lif."<sup>3</sup>

It was in the private chapel of Hatton Hall, about 1556, that Bridget, daughter of Ralph Dutton, then between four and five, and unable to "perfectelie speak the wordes of matrimonie after the priest, because she was, at that tyme, in yeares tender and younge," was married to George Spurstow, a youthful bridegroom of the age of six, "bie a priest that then servid at Wauerton."

Two other marriages of young children took place within a few years in the same chapel. The first was between Bridget's brother Rowland (whose initials were over the doorway in the quadrangle), aged nine, and Margaret Stanley, aged five. The other, between William Stanley, aged twelve, and Anne Dutton (who was probably another sister of Rowland), aged ten. Not one of these marriages was consummated, the parties within a few years strongly objecting to the partners provided for them by family interests, and divorces being granted.

The marriage of Alice, a fourth child of Ralph Dutton, with John Stanley of Oulton, both at the age of ten, met with better success, being ratified when the parties reached fourteen years, and resulting in a numerous family.<sup>4</sup>

In 1572 the celebrated "dancing chancellor," Sir Christopher, then Mr. Hatton, wrote to his kinsman,

<sup>3</sup> *Memorials of the Duttons of Dutton*, pp. 130 *et seqq.*

<sup>4</sup> *Child Marriages, etc.*, Early English Text Society, Vol. CVIII., pp. 39, *et seqq.*

Mr. Ralph Dutton, at his house at Hatton, asking for information respecting his descent, and his connection with the Dutton family. Dutton appears to have been rather loth to supply the information, evidently being suspicious lest Hatton should make a claim upon the estates. Henry Townshend, a brother-in-law of Ralph Dutton, tried to disabuse his relative of this idea, and assured him that no injury was intended, but that "yor discent better affirmed and furnyshed w<sup>th</sup> Richer coats" would reward compliance with the request. The persuasion appears to have had the desired effect, and in a letter of 1574 Dutton tells Hatton that like his father he was utterly unskilled in Heraldry, and wishes his correspondent "had some good occasion to see these partes and my poore howse."<sup>5</sup>

Rowland Dutton of Hatton in his will, dated May 12, 1604, left to his son Edward,

"All the glasse in the windowes, and wainscott about my walles, & benches in my mansion house at Hatton, because I wishe not the said house to be defaced, and all my furniture in my stables and oxehouses not to be altered;—my tables in my hall and buttrie, boardes in my kitchen & dey houses, all brewing vessells, the great bed and bedding therein, boardes in the Great Chamber over the Great Parlor, my best bason and ewer of silver, my twelve apostle spoons, my twoe great silver salts, six oxen with their plowe and furniture, one teame, twelve milch kyne, and three silver bowles . . . for his better beginning and settling the said house."

The inventory of the goods of the deceased is a formidable document and gives the contents of a considerable mansion of the period. The great bed mentioned above was valued at £26 13s. 4d., and is described as

"One great standing bed with a tester and arras and

<sup>5</sup> *Memorials of the Duttons of Dutton*, p. 44.

three large stained worke curtains, a large feather bed and wolbed, a matt, twoe coverings of arras, a blankett, a boulder, and twoe pillowes.”

The total value of the articles enumerated was £1,838 12s. 2d.

Ormerod, writing in 1819, gives an interesting description of the portion of the old hall which then remained standing.<sup>6</sup> He says:—

“The township is situated in a flat country, about six miles from Chester, to the left of the Barnhill road. The hall is environed by a square moat about twenty<sup>7</sup> yards wide, and containing about a statute acre. On the west side of the moat are the remains of five most magnificent oak trees; they are all of nearly one size, the largest measures twenty feet in girth at the height of a yard from the base, and twenty six feet at the base.

The hall appears to have been quadrangular, but not more than a fourth part is standing, built of timber, wickerwork plastered over, and brick within, and some mixture of stone-work towards the moat.

The drawbridge leads to a lofty gateway, opening with strong folding doors to the court within. The roof of the gateway is composed of massy beams, carved in good style at the intersections.

Over the entrance is a figure of St. George and the Dragon, over which the family arms have been emblazoned.<sup>8</sup> A little higher up the plaster conceals an immense bay window. The gable with which this part terminates is surrounded with vine leaves boldly carved. In the centre of the gable are two small windows joining each other, the oak mullions of which terminate in elegant cinquefoil heads; the windows project on two brackets resembling the pendants in a roof of the time of Henry the Seventh. It is much to be regretted that this beautiful

<sup>6</sup> Ormerod's *History of Cheshire* (Helsby Edition), Vol. II., p. 794.

<sup>7</sup> Hanshall [p. 379] says “The moat was *twelve* yards wide.”

<sup>8</sup> Hanshall [p. 359] says “The family arms once over it, no longer remain.”



entrance is so much disfigured by plaster, as to be an unfit subject for the pencil.

Over the door in the quadrangle is the date 1597, with the initials of Rowland Dutton, and his lady, Eleanor Scriven."

The old building was standing in 1850,<sup>9</sup> but in 1882 had given place to a modern brick farm house, erected some years previously on the site.<sup>10</sup>

At the present time there is little of interest to be seen: an ancient barn is still in existence on the road side, the moat is still filled with water but is of much narrower dimensions, and there are the remains of one of the venerable oak trees. The entrance to the farm is by a gateway pierced through a continuous range of farm buildings, forming three sides of a square, with the two extremities abutting upon the moat, which adjoins the fourth side of the farmyard. In the centre of this side there is a stone bridge giving access to the island occupied by the plain modern farm house, and garden.

In *Harleian MS.*, 2151, there are a number of trickings of arms which were to be seen at Hatton Hall in 1572, with names (sometimes correct and sometimes incorrect) of the owning families written above the coats in several instances, and with remarks as to their various positions, as detailed hereafter:—

"Vnder certaine windowes carved in wood are these armes following."

1. Or, a cinquefoil sable. This is the coat of Brailsford, and as Ralph Vernon, of Hatton, married Margaret, daughter and heiress of Ralph Brailsford, and they were ancestors of the Duttons of Hatton, this is no doubt the correct identification. It should be

<sup>9</sup> Bagshaw's *Directory*.

<sup>10</sup> Ormerod's *History of Cheshire* (Helsby Edition), Vol. II., p. 794.

noted, however, that or, a cinquefoil pierced sable, in a quartered coat of Dutton of Dutton, printed in the *Visitation of Cheshire*,<sup>11</sup> 1580, is assigned to Vernon.

2. [Gules], three legs flexed in triangle and conjoined in fess point, in armour [proper], garnished and spurred [or]—Isle of Man. There does not appear to have been any family reason for the display of this coat, and it can only be conjectured that it was intended as a compliment to the prominent family who were at the time “kings” of Man.

3. [Gules], three sparrow hawks [argent]—Atherton. This shield is surmounted by an esquire's helm having double ostrich feathers. The coat is accounted for by the marriage of John de Dutton of Hatton, with Margaret, daughter of Sir William de Atherton, knight.

4. Sable, a cross flory argent—“Nuthurst.” I cannot find such arms assigned to Nuthurst, nor can I find any reason why the shield of this family should be displayed at Hatton Hall. These arms are probably intended for those of the Pulford family [sable, a cross flory (or patonce) argent] from whom the Duttons are descended through the Belgraves and Leghs of Adlington. The estates of Joan de Pulford, heiress of that family, appear to have passed to the Grosvenors by her second marriage; the issue of her first marriage, namely, the heiress of the Belgraves, only succeeding to the Belgrave property. The arms of the last named family were somewhat similar but the tinctures were reversed.

The next manuscript note refers to two heraldic animals not tricked on shields: “These two are vnder the falcons in the same window”—

5. A lion passant guardant.

<sup>11</sup> *Visitation of Cheshire, 1580, etc.*, Harl. Soc., Vol. XVIII., p. 87.

6. A griffin passant.

Then follow shields surmounted with plumed helmets, introduced by the remark: "These two are carved vnder two other windowes":—

7. [Azure], a chevron [or] between three garbs [of the second]—Hatton of Hatton. The arms are not identified in the manuscript, but there cannot be much doubt about them. (See No. 15.)

8. [Or], a cinquefoil [sable]—Braylesford. (See No. 1.)

"These arms are in the chappell at Hatton Hall, painted on the wall":—

9. A plain cross. It is almost impossible to identify this shield. It may have been the cross of St. George who, as already mentioned, was represented over the entrance to the hall.<sup>12</sup>

10. Azure, three coronets or. This is evidently intended for Corona, of the arms of which family there were many variants. An heiress of the Coronas married a Legh; the Adlington branch of the latter family often bore the arms of Corona in the first and fourth quarters of their shield, and it has, in consequence, sometimes been called their paternal coat. Ormerod says

"The Leghs of Adlington bore antiently, within a border argent, azure, three ducal coronets or, in the centre point a plate; being the coat of Corona of Adlington differenced."

The connection between the Duttons and Leghs has already been mentioned.

<sup>12</sup> Among the shields in the Dutton Chapel in Great Budworth Church there were three bearing plain crosses i.e.:—

i. Argent, a cross gules—"St. Geo."

ii. Gules, a cross argent—. . . .

iii. Argent, a cross sable, in the dexter chief quarter a fleur de lis of the second—"Hadock" [Haydock].

*Harleian MS.*, 2151, fo. 71.

11. An eagle, wings expanded, preying on an infant, swaddled. The family of Culcheth<sup>13</sup> bore similar arms to these, but why this family should be represented in the display at Hatton does not appear. The crest of the earls of Derby was a similar device.

The next remark—"this cut in wood over the gatehouse,"—refers to a shield surmounted by a plume of three ostrich feathers, which are erect, and not wavy as in the earlier examples. Can these be the arms to which Ormerod refers in his description of the gatehouse and entrance? If so, he is obviously incorrect in ascribing them to the family of Dutton.

12. [Or], a cinquefoil [sable]—Braylesford.

Trickings of eight shields are then given, preceded by the remark: "these armes are in the parlor windowe":—

13. A cross flory. Above is written: "Ryddehall or Nuthurst." Evidently the person who noted the arms was in doubt as to the owner of this coat, and neither assumption appears to have been correct. The arms are the same as No. 4. In similar notes on the arms in the Dutton Chapel in Great Budworth Church, the same coat is assigned to Rishall, possibly connected with Rushall, the manor of which was owned by the Duttons.

14. Gules, two lions passant in pale or, a label of five points [. . .]—"Golborne de Golborne Bella." One of the Hattons, from whom the Vernons of Hatton were descended, married a daughter and heiress of Richard de Golborne of Golborne David, not Belleau, and the arms of this family were: Argent, a cross patonce between four martlets gules. Possibly the arms in the window have been misappropriated? On

<sup>13</sup> *Visitation of Cheshire, 1580*, Harl. Soc., Vol. XVIII., p. 124.



the other hand Ormerod says that the manor of Golborne Belleau most probably passed *at various periods* in the fifteenth and sixteenth centuries to the Duttons of Hatton. Perhaps the coat is intended for Strange quartered by the Earl of Derby; if so the lions are argent.

15. Azure, a chevron between three garbs or—"Vernon." This is not so, the arms are those of Hatton. (See No. 7.)

16. Ermine, on a chevron [gules] three escallops [argent]. These are probably intended for Townshend, as the father of Rowland Dutton married a daughter of Sir Robert Townshend, knight. See quartered coat of Edward, son of Rowland Dutton.<sup>14</sup>

17. Or, a cinquefoil sable—"Brellesford." This is the fourth representation of this coat. (See Nos. 1, 8, and 12.)

18. Two coats occupying the dexter half of the shield, one in chief and the other in base, viz.: 1. Quarterly, argent and gules, in the second and third quarters a fret or—Dutton; 2. [Azure], a chevron between three garbs [or]—Hatton. Impaling: barry of ten, or and gules—"Padmore." This impaled coat is Poyntz; Sir Piers Dutton married as his second wife Juliana, daughter of William Poyntz of Essex—(see pedigree in Ormerod, Vol. II., p. 796). She was a widow in 37 Henry VIII.

19. Or, on a chevron azure three garbs of the field—"Hatton." If this identification is correct, this is an unusual variant of the Hatton coat,<sup>15</sup> but possibly it is intended for Vernon, i.e.: or, on a *fess* azure three garbs

<sup>14</sup> *Funeral Certificates*, Lanc. and Chesh. Rec. Soc., Vol. VI., p. 77.

<sup>15</sup> Ormerod, Vol. II., p. 795, refers to this as a variant of the Hatton coat.

of the field. In view of the property that accrued to the Duttons by the marriage of Petronilla de Vernon, the arms of her family might naturally be expected to be found among the others.

20. Sable, a fess humettée argent—Bostock. The reason for the inclusion of this coat is not clear, but it is curious to note how frequently arms are found in windows and elsewhere which are quite unaccountable on the grounds of consanguinity. Many of these were doubtless set up out of respect or friendship, but this does not account for all.

Six of the coats enumerated above are included in the shield of twelve quarters blazoned in the funeral certificate of Edward Dutton of Hatton, who died in 1620.

I have once again to tender thanks to Mr. J. Paul Rylands, F.S.A., for assistance in the identification of the heraldry; and to Mr. T. A. Williams, whose artistic skill, when this paper was read, enabled me to shew, much more clearly than could have been done verbally, the armorial devices with which the Duttons of Hatton adorned their old mansion.





## Obituary.

CANON RUPERT H. MORRIS, D.D., F.S.A.

JUST as the printing of this volume was completed, news reached Chester that our old member and a former Editor of our *Journal*—Canon RUPERT HUGH MORRIS, D.D.—passed away on the 2nd January of this New Year 1918, at St. Gabriel's Vicarage, Warwick Square, London, S.W. We give as a frontispiece to this book a photograph of him taken by a Chester photographer when he was with us, together with his autograph. He was a Flintshire man—a native of Holywell, where he was born in 1844—being the son of William Morris, sometime editor of *Y Cymro*, a Welsh Church newspaper. Educated at Ruthin Grammar School, he proceeded from there with a scholarship to Jesus College, Oxford, gaining also a Powis Exhibition. He took his degree in 1865 and was ordained two years later. After serving as classical assistant master at Rossall School, he was appointed Principal of the Training College for South Wales and Monmouthshire, and for some years he held also the secretaryship of the St. David's Diocesan Board of Education. It was at this time he was appointed Prebendary of Mathry in St. David's Cathedral. In 1876 he went to London as curate of St. Mary's, Park Street, Grosvenor Square, and two years later he was appointed vicar. During the period he was at St. Mary's (which ended in 1882) and for two years beyond, he was headmaster of the Godolphin School, Hammersmith. In 1884 he became chaplain and librarian to His Grace the late Duke of

Westminster, K.G., and left London to settle down at Eccleston. On the occasion of the Annual Meeting of the Royal Archæological Institute being held at Chester, from the 10th to the 17th August, 1886, His Grace was President of the Meeting, and it was at this time that he opened the then newly erected Grosvenor Museum. Canon Morris took an active part in the arrangements of the various meetings and ceremonies. These were "great days" in the history of our Society; the present Duke of Northumberland, then Earl Percy, F.S.A., was President of the Institute, and a guest at Eaton. The Chairman of the Antiquarian Section was our then President, Bishop Stubbs, who had as his guest at the Palace Professor Freeman, who occupied the chair of the Historical Section. Precentor Venables, Professors E. C. Clark and T. McKenny Hughes, Dr. J. Collingwood Bruce, Mr. E. Peacock, Mr. R. S. Ferguson, Mr. A. Hartshorne, Mr. C. J. Newton, C.B., Mr. T. H. Baylis, Q.C., Sir J. A. Picton, Mr. J. Hilton, and many other well known archæologists were present and took part in the proceedings. Subsequent to this meeting Canon Morris continued to take an interest in the proceedings of our Society. He was elected a member in April 1888, and on the resignation of the late Mr. J. P. Earwaker, M.A., F.S.A., in 1893, became Honorary Editorial Secretary. At this time he not only took a keen interest in the affairs of the Society, but also in research in local history and archæology. It was through his influence that the late Duke gave to the Society the important Earwaker collection of MSS. and books now in our library. He was also busily engaged in collecting materials for his magnum opus—*Chester in the Plantagenet and Tudor Reigns*—which was published in 1894. His labours in acquiring information for this work from the numerous and valuable municipal and ecclesiastical records of Chester, at the Record Office, at the British Museum, in the



collection of *MSS.* at Eaton, and in the documents referred to from time to time in papers read before our Society, were very great. The readers of his book can hardly form the faintest idea of the labour which was involved in collecting the facts. The Canon perused and translated many thousand parchment documents, written in the mediæval characters of the monks which are called "Courthand," and that, too, in technical law Latin, most of the words being abbreviations with no system of contractions such as is, for instance, used in the present day in shorthand, requiring not only good classical knowledge, but also a thorough acquaintance with feudal and mediæval law. He no doubt spent considerable time over a single line of this very diminutive courthand writing, the manuscript of which, perhaps, was discoloured by damp or time, or required the aid of strong glasses to decipher and ascertain the real meaning. All this had then to be boiled down, as it were, in the book, and the labour of many hours, or even days, is perhaps contained in a single paragraph or line in the book. We particularly emphasize this because we think it should be known what a real research student has to do in order to write history from original documents, as all history ought to be written in these days, and how much Cestrians are indebted to Canon Morris for the beautiful and accurate original contribution he has made towards the history of their ancient city. This much can at least be said of the late Canon, that his name will be associated for all time with that of Chester, for no one can again write upon any subject relating to Chester during the Plantagenet and Tudor period without referring to his admirable book. Canon Morris also completed the *History of the Church and Parish of St. Mary-on-the-Hill, Chester*, which was left unfinished by the reason of the sudden death of its original author, the late Mr. J. P. Earwaker. He also wrote a short history of the Diocese of Chester for the Society

for Promoting Christian Knowledge, and a little but instructive guide to Eaton Hall and its treasures. He gave several papers before our Society, which are printed in our *Journals*. One read in 1902 is *Gleanings from the Muniment Room of the Town Hall, Chester (Stuart Period)*. For many years prior to his death Canon Morris worked hard gathering materials with a view to publishing a continuation of his Chester History, over the Stuart Period. We understand it is partly written, and we sincerely hope that his valuable work will not be lost to Chester. In 1890 the Cambrian Archæological Society held their Meeting at Holywell and, with their President, Lord Mostyn, visited Chester during the mayoralty of Mr. James Salmon, who entertained them at luncheon at the Town Hall. On this occasion Canon Morris took part in their reception and became a member of their Society. In 1909 they held their Meeting at Chester, Sir H. H. Howorth, K.C.I.E., F.R.S., F.S.A., being their President, when we find Canon Morris filling the office of Editorial Secretary of their *Archæologia Cambrensis*, a position he held at the time of his death. On this occasion he read before that Society a paper on *The Charters of the City of Chester*, which is printed, with illustrations, in *Archæologia Cambrensis*, Sixth Series, Vol. X., page 417. In the autumn of 1894 His Grace the late Duke of Westminster presented Canon Morris to the living of St. Gabriel and he soon after left Chester for London, much to the regret and loss of the members of our Society and of his numerous literary and personal friends here, who presented him, on his finally leaving the neighbourhood with his family in October, 1895, with a silver kettle and a purse of gold—the presentation was made at the Grosvenor Museum by the then mayor, Alderman W. H. Churton. During the time that he was at Eaton, Canon Morris gave considerable help to the neighbouring clergy, and Cestrians will

long remember his scholarly sermons and addresses. He took a great interest in the Choral Festivals that used to be held at Eaton by the highly trained Parish Church Choirs on the Duke's estate. Like most literary Welshmen he was a great hymnologist. In June, 1895, he was elected a Fellow of the Society of Antiquaries and took part for some years in the Congresses of Archæological Societies held at Burlington House.

St. Gabriel is a large and important West End Parish, with a population of over 17,000, and necessitated much hard work and responsibility from its vicar. Canon Morris, at the time of his death, had recently resigned the living. He married a daughter of Lieut.-General C. E. Gold, at one time Colonel of the 65th Regiment of Foot, who predeceased him in October, 1916. He leaves a family of three sons and five daughters to mourn the loss of a good and affectionate father.

H. T.





## Review.

### COUNTY FOLKLORE.

THE ARCHÆOLOGICAL SOCIETY—to whose President, the Lord Bishop, the work is dedicated—may well congratulate one of its most distinguished members upon a worthy contribution to the study of folklore.<sup>1</sup> Professor Bridge has made a collection of some 450 Cheshire sayings, and has brought to bear upon very many of them his own great capacity for research, and his own vast store of learning and humour. His explanations of hitherto doubtful points are always suggestive, and nearly always convincing. “Ossing comes to bossing” is usually interpreted “Offering comes to kissing.” But, playfully remarks the Professor, if that is all “ossing” leads to, it does not carry matters very far; and he conjectures, and gives good reason for the conjecture, that “bossing” means “marrying.” Mr. Gladstone was unable to make anything of the word “inkle,” a kind of tape. If it had been *red* tape, is the author’s comment, it would not have been unknown to any government official. It is hardly fair to pick out many plums, but the following is too good to be overlooked. “‘What is got in the County is lost in the Hundred’ . . . . An excellent motto for a County Council!” Some of the Professor’s annotations grow into really valuable essays.

<sup>1</sup> *Cheshire Proverbs and other Sayings and Rhymes connected with the City and County Palatine of Chester*: Collected and Annotated by Joseph C. Bridge, M.A., D.Mus. Oxon et Dunelm, F.S.A., Organist of Chester Cathedral, Professor of Music in the University of Durham. Chester: Phillipson & Golder, 1917.



Among these may be mentioned the delightful articles upon the Cheshire Cat, the Congleton Bear, and the Holt Lions. Of special interest to Cestrians are, among others, the notes upon the Capelgate—to which reference is made in an earlier page of this volume<sup>2</sup>—and the admirable disquisition upon the well-known story connected with the Peppergate. The book is a rare combination of archæology and amusement. It is well indexed, and well turned out in every respect. Professor Bridge has earned the thanks of the community.

F. G. S.

### Editorial Notes.

UNDER the terrible circumstances of the time no apology is needed for the belated production of this volume. The editor, however, wishes to express regret, firstly, for the fact that two valuable papers are not at present available for publication; and, secondly, for some few slight misprints. The papers in question are those of Mr. T. ARTHUR ACTON, F.S.A., on the Roman Potteries at Holt, and of the Rev. R. A. THOMAS, M.A., on Basingwerk Abbey. The latter gentleman is serving as chaplain to the forces. Mr. PHILIP H. LAWSON and Mr. R. STEWART BROWN are also with the colours, and their papers have not had the advantage of revision by the authors. Among the *errata* may be mentioned the name "Suythe" at the top of page 133; it should be "Smythe," as indeed the footnote clearly shows. Also the name of Mr. Baron Park is wrongly spelt Parke (pp. 106, etc.)

A word of thanks is here due to the Society's printers, whose composing staff has been reduced by four-fifths.

Readers of the *Journal* must have noticed that, although the subjects are chosen at haphazard, there are often to be

<sup>2</sup> p. 123.

found connecting links between them. The present issue, by happy coincidence, contains, in "Matthew Henry's Chapel," Mr. W. W. TASKER's felicitous allusion to the late Rev. J. K. MONTGOMERY, and in "Early Deeds relating to Eastgate Street" a highly interesting paper by the distinguished son of that distinguished father.

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Mr. G. W. HASWELL's essay on the early history of the Abbey Church of St. Werburgh is of almost startling importance. Incidentally this paper gives an adequate reason for a circumstance to which, as it happens, the writer does not allude; namely, the very unusual position of the cloisters on the north side of the church. It has hitherto been assumed that the monks were "hemmed in" on the townward side, and so were compelled to build the cloisters where they are. Mr. MONTGOMERY does not share that opinion, and he is (as his article shows) no mean authority on the history of the property immediately north of the Abbey.

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"Whatever the church of the Roman military times in Chester may have been, it has, of course, utterly disappeared." So wrote Dean HOWSON nearly forty years ago. Mr. HASWELL's theory disposes of this statement, but invests with fuller significance the good Dean's further remark "that this spot must always be regarded with interest, as being, like Glastonbury and St. Alban's, a memorial of the earliest Christianity in Britain." Indeed the day may come when the little built-up arches in the cloister wall will attract more pilgrims than ever came to venerate the relics of St. Werburgh, or to worship at her shrine.





## ABSTRACT OF PROCEEDINGS, 1914-15.

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### REPORT OF THE COUNCIL.

**T**HE COUNCIL beg to submit their Annual Report and Statement of Accounts for the year ended 31st March, 1915.

In consequence of the European War, five Sessional Meetings instead of six have been held.

The Annual Summer Excursion took place on Monday, July 13th, 1914, to Shrewsbury. The members on arrival proceeded to the Museum, where Mr. H. E. Forrest (the Hon. Secretary of the Carodoc and Severn Valley Field Club, who kindly acted as leader) explained the various features of the building, and pointed out from a map submitted the peculiar position the town occupied, and also the position of the Town Walls. Various other objects of interest were seen, including an old picture of what is known as the "Quarry," before any excavation had taken place. Leaving the Museum the members proceeded to the Castle Grounds, and thence to St. Mary's Church with its interesting old glass. Luncheon was taken at the George Hotel. In the afternoon various old houses were visited, among them Lawyer Jones', the Drapers' Hall, Butchers' Row, and several other places of interest. Mr. Forrest then shewed the Members the old Mint and Sally Port leading to the narrow causeway over the Marsh. An opportunity was taken by some of the members of visiting the Abbey Church, whilst others visited the Quarry and

other interesting places before returning to Chester after a very enjoyable day.

The following representatives of the Society have been elected upon the Chester Public Library Committee:—The Lord Bishop of Chester, Mr. Frank Simpson, F.S.A., and Mr. C. H. Minshull.

Volume XX. of the Society's Journal was issued during the year.

The following have been appointed to represent the Society upon the Grosvenor Museum Management Committee:—Professor J. C. Bridge, M.A., D.Mus., F.S.A., Mr. Henry Taylor, F.S.A., Mr. Frank Simpson, F.S.A., Mr. H. B. Dutton, Mr. G. W. Haswell, and Mr. W. W. Tasker.

The Council desire to express warm thanks to the donors of various objects of interest during the year.

The Hon. Treasurer's Statement of Accounts is annexed, shewing a debit balance of £19 1s. 6d. to be carried forward to next year.

During the year the Society received a further contribution (£232 3s. 1d.) from the Mrs. Jane Churton Bequest to the Governing Body. Of this sum £200 has been invested in a suitable Trustee Security, and the balance credited to the year's working account.

Under Rule 4, the following members of the Council retire, but they are eligible for re-election:—Rev. H. Grantham, Mr. G. W. Haswell, Mr. P. H. Lawson, and Rev. R. A. Thomas, M.A. There is also a vacancy on the Council through the death of Mr. James Williams.

The Hon. Auditor, Mr. W. W. Tasker, retires, and is eligible for re-election. There is also a vacancy caused by the retirement of Mr. Alfred Ayrton.

It is with the deepest regret that the Council have to report the death of the late Archdeacon Barber, M.A., F.S.A., a Vice-President of the Society. They wish to place on record their great appreciation of the untiring



efforts at all times rendered by him in every sphere of the Society's work.

They also regret to record the death of Mr. James Hall, whose valued services as honorary librarian to the Society are greatly missed ; and of Mr. James Williams, a valued member of the Council for many years.

Mr. Horace F. Davies has been elected hon. librarian in the place of the late Mr. Hall.

Volume XXI. of the Society's proceedings is in the press, and will shortly be issued to Members.

The Council appeal to Members to use their influence, particularly during the period of the distressing War, to enable the Society to carry on its useful work.

The recommendation made by the Members in Annual Meeting with regard to the finances of the Society has been considered by the Council, and a special committee was appointed to deal with it. The committee has made its report, and its proposals have been adopted by the Council.



THE CHESTER AND NORTH WALES ARCHÆOLOGICAL AND HISTORIC SOCIETY.

*Statement of Receipts and Payments for the year ended 31st March, 1915.*

RECEIPTS.			PAYMENTS.		
1914.	1915.		1914.	1915.	
£ s. d.	£ s. d.		£ s. d.	£ s. d.	
101 6 6	To Subscriptions	...	40 0 0	By Grosvenor Museum Management Committee	40 0 0
11 3 8	Dividend on London and North-Western Railway Stock £297	...	17 3 5	Printing, Postages, Stationery, Advertising, and Insurance	...
0 2 6	Sale of Family Lecture Ticket	...	3 12 5	Subscriptions to kindred Societies	...
5 0 0	Donations	...	3 6 2	Purchase of Antiquarian objects and Books	...
—	Sale of Journals	...	60 10 0	Printing & Publishing Vol. XX. of Journal	72 3 0
—	Mrs. Jane Churton Bequest, further contribution	...	15 15 0	Secretary	...
117 12 8		347 1 8	6 17 2	Miscellaneous Expenses	...
29 11 6	Balance, over expended	...	—	Invested in East Indian Railway 4½ per cent. Debenture Stock	£200
£147 4 2		£349 3 1	£147 4 2		...
				Balance, brought down	...
				Add Deficit from last Account	...
				Deficit, forward to 1915-16	...
					£19 1 6

MAY 11TH, 1915--Audited with the Vouchers, and found correct.

W. W. TASKER.

Vol. XXI., in the press, is not included in these Accounts.



## ABSTRACT OF PROCEEDINGS, 1915-16.

### REPORT OF THE COUNCIL.

**T**HE COUNCIL beg to submit their Annual Report and Statement of Accounts for the year ended 31st March, 1916.

Six Sessional Meetings were held.

A Summer Excursion took place to Birkenhead Priory, Hulme Hall (Art Exhibition and Museum), Port Sunlight, and Bebington Church, on Wednesday, July 28th, 1915. Members and their friends left Chester (General) Railway Station by the 1-30 p.m. train for Birkenhead, where the Priory was inspected by kind permission of the Mayor and Corporation. Afterwards the party proceeded to Port Sunlight and Hulme Hall, where, by kind permission of Sir W. H. Lever, Bart., the fine and valuable collection of Wedgwood and Oriental China, Old Furniture representative of different periods, The Napoleon Room, Oil Paintings and Water Colours, etc., etc., were exhibited by Mr. Howard, the Curator. After Tea a visit was made to the Church of St. Andrew, Bebington, the Rector, the Ven. Archdeacon G. A. Forde, having kindly arranged for the Party to be conducted over the Church. The "Mayer" Museum, also in the vicinity, was open to the Members.

The following representatives of the Society have been elected upon the Chester Public Library Committee:—The Lord Bishop of Chester, Mr. Frank Simpson, F.S.A., and Mr. C. H. Minshall.

Volume XXI. of the Society's Journal was issued during the year.

The Council desire to express warm thanks to the donors of various objects of interest during the year.

The Hon. Treasurer's Statement of Accounts annexed shews a deficit of £44 7s. 4d.

Under Rule 4 the following Members of the Council retire, but they are eligible for re-election:—Mr. J. E. Mayers, Mr. C. H. Minshull, Mr. W. W. Tasker, and Mr. Wm. Vernon, J.P.

The Hon. Auditors, Mr. W. W. Tasker and Mr. G. W. Haswell, also retire and are eligible for re-election.

In consequence of the difficulties in the Printing trade, scarcity of paper, and other matters caused by the European War, it has been decided to defer the publication of Volume XXII. of the Journal until the end of the year, when it is proposed to publish the proceedings of the two years 1915 and 1916.

In November last the Chester Corporation took over the buildings and control of the Grosvenor Museum under the terms of the scheme of transfer to that body. The Society still retains its Library, and is responsible for its collection of Antiquities, Roman Stones, &c.

The Reports of the Hon. Curator, Hon. Librarian, and Hon. Secretary are annexed.

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### THE HON. SECRETARY'S REPORT.

I have little to report for the year 1915-16. During the year there have been no excavations or building done, in the City, of any consequence so far as Archæology is concerned, with the exception of the "Customs House Tavern," Watergate Street, which has been practically rebuilt owing to the structure, erected in 1637, having given way and fallen into a dangerous condition.

This old house was certainly one of the best specimens of ancient timbered buildings in the City. On taking



down the old structure the timbers of the front and east side were all numbered, made good where required and replaced in their original position. The only difference is the addition of two small windows (in the second story) one on either side of the centre window, the latter of which was formerly flat, but is now a slightly projecting bay shape.

The thanks of all Archæologists are due to the owners, architect, and builder for carrying out the restoration in so careful a manner.

Another old Inn, "The Ring o' Bells," Foregate Street, has been taken down. This was of the common plain brick type, but is now being replaced in the half timbered style, the upper stories slightly overhanging one another. When preparing for the foundations, the workmen came across a quern, and the handle of an amphora on which a name was plainly inscribed. These were found about forty-five feet in rear of the parapet, and three feet below the surface. A number of thin grass bricks were also found in the structure of one wall.

It is pleasing to report that the Master, Warden, and members of the Beer Brewers' Company of the City Gilds have presented the Company's Charter, granted 16th September in the 10th year of the reign of Charles I. (1635), to this Society. The Company suggested that if on any special occasion their members wished to exhibit this record of their ancient authority it might be loaned to them for that purpose. This, on your behalf, I agreed to do on condition that a written request be signed by the Master and Warden.

The Charter is in a rather dirty state; attached to it are the broken remains of a large seal bearing an impression of Charles I.; all that remains of the inscription round it is the word "Carolus."

I would suggest that the Charter be cleaned, suitably framed, and exhibited in the Art Room of the Museum.

FRANK SIMPSON,

*Hon. Sec.*

## THE HON. CURATOR'S REPORT.

It is probable that at no period since the formation of this Society has there been less material for the Annual Report of your Honorary Curator than in the present instance, and in view of the epoch changing events that have been taking place for nearly two years, this is by no means surprising.

When the full energies of every single individual are, or should be, devoted towards ensuring the success of a common cause there is little time to spare for interesting and valuable research work, and consequently your collections have not been enlarged. In addition to past gains brought about by research there has been little excavation work in the neighbourhood, and no discoveries have by this means come to light.

The present circumstances, however, will end sooner or later, and those whose energies are now for the time diverted into other channels will be able with clear consciences to follow up their old labours.

I, as your Curator, beg to take this opportunity of pointing out that there is an immense amount of work to be done in overhauling and setting in order the valuable collection you already possess. It is not the time to go into details, but it is not practicable for one or two individuals, however willing, to perform the work satisfactorily, and when normal conditions have been restored I hope that not only will each member of the Council undertake to place some section in order, but that other members of the Society will render similar assistance, so that your unique collection may be placed on a model basis.

J. H. E. BENNETT,

*Hon. Curator.*

## THE HON. LIBRARIAN'S REPORT.

I beg to submit the following report:—

During the year the total number of readers reached

forty-two and the books consulted in the Library were chiefly those on Local History.

Seventeen volumes have been lent to members during the year under the Library rules.

Thirty-one volumes have been added to the Library, nine volumes being presented, and the remainder by purchase and exchange.

HORACE F. DAVIES,  
*Hon. Librarian.*



# THE CHESTER AND NORTH WALES ARCHÆOLOGICAL AND HISTORIC SOCIETY.

*Statement of Receipts and Payments for the year ended 31st March, 1916.*

RECEIPTS.		PAYMENTS.	
1915.	1916.	1915.	1916.
£ s. d.	£ s. d.	£ s. d.	£ s. d.
100 16 0	Subscriptions ... ..	17 0 1	Deficit at 31st March, 1915, brought forward...
10 19 1	Dividend on London and North-Western Railway Stock £297, 4 per cent. ...	40 0 0	Grosvenor Museum Management Committee...
—	Interest on East Indian Railway Debenture Stock £200 (part of year), $4\frac{1}{2}$ per cent. ...	17 9 1	Printing, Postages, Stationery, and Insurance
2 1 0	Donations ... ..	3 18 4	Subscriptions to kindred Societies ...
1 2 6	Sale of Journals and Tickets ... ..	1 6 3	Purchase of Antiquarian objects and Books ...
232 3 1	Mrs. Jane Churton Bequest ... ..	72 3 0	Printing and Publishing Vol. XXI. of Journal
347 1 8	...	15 15 0	Secretary ... ..
19 1 6	Balance, Deficit forward to 1916-17 ...	1 1 0	Miscellaneous Expenses ... ..
£366 3 2	£155 12 1	197 10 5	Invested in East Indian Railway £200, $4\frac{1}{2}$ per cent. Debenture Stock ... ..
		£366 3 2	£155 12 1

MAY 29TH, 1916—Audited with the Vouchers and found correct.

W. W. TASKER,

*Hon. Auditor.*





## LIST OF MEMBERS, 1916-17.

- Acton, T. Arthur, F.S.A., 3, Grove Road, Wrexham  
Adams, G. F., Victoria Road, Chester  
Aldersey, Hugh, J.P., Aldersey Hall, Chester  
"Antiquary," The Editor of, 62, Paternoster Row, London  
Atcherley, Mrs., Hough Green, Chester  
Ayrton, Maxwell, 3, Verulam Buildings, Gray's Inn, London, W.C.
- Bairstow, John, F.C.S., Queen's Park, Chester  
Barbour, George, D.L., J.P., Bolesworth Castle, near Chester  
Barlow, W. H., 70, West Bank Road, Higher Tranmere, Birkenhead  
Barnston, Harry, M.P., Crewe Hill, Farndon  
Bennett, J. H. E., 66, Cambrian Crescent, Chester  
Benson, E. F., 102, Oakley Street, Chelsea  
Beswick, H., Newgate Street, Chester  
Bithell, Walter, Bickley Wood, Malpas  
Bonnalie, F. J., J.P., Abbey Square, Chester  
Bosanquet, Professor R. C., Institute of Archæology, 40, Bedford  
[Street (N.), Liverpool  
Boscawen, Mrs., Trevalyn Hall, Rossett, near Wrexham  
Bridge, Prof. J. C., M.A., D.Mus., F.S.A., Christ Church Vicarage,  
[Brook Lane, Chester  
Brown, W. E., Pepper Street, Chester  
Brown, Mrs. W. E., 33, Parkgate Road, Chester  
Brown, H. F., LL.B., 18, Curzon Park, Chester  
Brown, Mrs. L. P., M.A., 18, Curzon Park, Chester  
Browne, Morton, Lache-holme, Lache Lane, Chester
- Campbell, Mrs. Pitcairn, Christleton Hall, Chester  
Campbell, C. Ogilvie, 86, Foregate Street, Chester  
Chambers, The Very Rev. Canon, St. Werburgh's Presbytery, Chester  
Chester, The Right Rev. The Lord Bishop of, The Palace, Chester  
Chester, The Right Worshipful The Mayor of, Town Hall, Chester  
Chester, The Sheriff of, Town Hall, Chester

Chidley, T., 14, St. Werburgh Street, Chester  
Compton, T., Bolton Cottage, Longhope, Glos.  
Conway, Walter, Old Bank Buildings, Chester  
Cooke, J. H., Solicitor, Winsford  
Coppack, Charles, Liverpool Road, Chester  
Cox, Ven. Archdeacon W. L. Paige, The Vicarage, Hoylake, Cheshire  
Crane, H. E., Savings Bank, Grosvenor Road, Chester  
Crossley, F. H., 19, Shavington Avenue, Hoole, Chester  
Cullimore, John, J.P., The Friars, Chester  
Cummings, S. G., 9, King Street, Chester

Davies, H. F., A.R.I.B.A., 6, King's Buildings, Chester  
Davies, Fred, Architect, Newgate Street, Chester  
Davies, Rev. J. T., M.A., 6, Abbey Green, Chester  
Dempster, Robert, Vale Royal, Cheshire  
Dickson, J. H., Westminster Park, Chester  
Dixon, George, J.P., Astle Hall, Chelford, Cheshire  
Dodd, John, Corn Exchange Chambers, Chester  
Dring, S., Clovelly, Pensarn, Abergele  
Dutton, A. E., 51, Frodsham Street, Chester  
Dutton, H. B., 27, Curzon Park, Chester  
Dutton, Hugh T., M.A., 27, Curzon Park, Chester  
Dutton, Geo. Henry, 30, Frodsham Street, Chester

Edwards, Peter, Dodleston, near Chester  
Elphick, Pelham, Brook Lane, Chester  
Evans, G. H., 5, Lumley Road, Chester

Farmer, R., 67, Liverpool Road, Chester  
Farrall, Rev. L. M., M.A., Abbot's Grange, Chester  
Ffoulkes, Miss Jocelyn, Kingsley Lodge, Liverpool Road, Chester  
Ffoulkes, Miss H. Jocelyn, Kingsley Lodge, Liverpool Road, Chester  
Ffoulkes, Rev. P. J. B., Rode Rectory, Scholar Green, Cheshire  
Fitzgerald, Dr. W. A., Clare Lodge, Chester  
Fleming, T. R., Rowton Grange, Chester  
Fleming, Mrs., Rowton Grange, Chester  
Frost, J. M., J.P., Upton Lawn, Chester

Gamon, Gilbert P., 52, Grafton Street, Fitzroy Square, London, W.  
Gardner, E., Northgate Street, Chester  
Gladstone, H. N., J.P., Burton Manor, Cheshire

Golder, J. T., The Birches, Westminster Avenue, Chester

Grantham, Rev. Henry, St. Mary's Rectory, Chester

Harding, Paxton, Bank House, White Friars, Chester

Hargreaves, John, The Woodlands, Rock Ferry

Haswell, G. W., Bouverie Street, Chester

Haswell, Frank T., 4, Margravine Gardens, Baron's Court, London, W.

Haverfield, Professor F. J., M.A., D.C.L., F.S.A., Winshields,  
[Headington Hill, Oxford]

Hewitt, D. L., Rose Acre, Hough Green, Chester

Hewitt, John, Architect, Hoole, Chester

Higginson, T., 21, White Friars, Chester

Hobday, James, Liverpool Road, Chester

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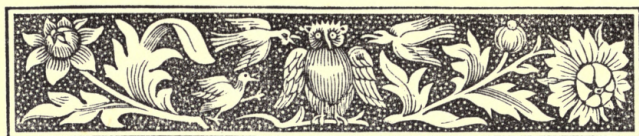
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## GENERAL INDEX.

### **Abbey Church of St. Werburgh in Pre-Norman Times, 142**

Abbey Square School of Artists,  
169

Archæological Society :—

Balance Sheets, 219, 225

List of Members, 226

Proceedings, 216

Report of Council, 216, 220

Report of Hon. Curator, 223

Report of Hon. Librarian, 223

Report of Hon. Secretary, 221

Arms :—

Bostock, 207

Brailsford, 205

Bricklayers' Company, 10, 78

Culcheth, 205

Derby, earls of, 205

Edisbury, 34

Golborne, 205

Haydock, 204*n*

Llewelyn ap Madocke Voel, 28

Mainwaring of Peover, 18

Padmore, 206

Poyntz, 206

Rishall, 205

Ryddehall, 205

Townshend, 206

Vernon, 203, 206

**Bricklayers' Company, 55**

Capelgate, 123

**Chester Artists, 166**

Chester Cathedral, its dedications,  
156

Chester Races, 77

Child marriages, 199

Chirk Castle Accounts, 41, 45, 47

Common Hall, 61

Cloister, Chester Cathedral, theory  
of the built-up arches, 148, 151

Dutton family, 198, *etc.*

**Early Deeds relating to East-  
gate Street, 117**

Eastgate Row, its various names,  
118

**Edisbury, Kenrick, and his  
Descendants, 26**

Editorial Notes, 214

Election Squibs (1812), 193

**Execution of Criminals in  
Cheshire, 91**

Friars Minors, 122, 123

Gabel Rents, 91

Godstall, "emperour," 126

Godstall Lane, *temp.* Edward III.,  
126

— — — Henry VII., 130

— — —, suggested origin of name,  
140

Grosvenor Duel, 42



**Hatton Hall, 197**

**Holme, Randle, family property, 5**

James II.'s visit to Chester (1687),  
175

Mannering, Henry, his will, 16

**Matthew Henry's Chapel, 172**

—— — *Commentary, 174*

**Maynwarding Letters, 12**

Midsummer Show, 77

Milkmaid of Belgravia, 44

Murder Trial (1834), 106

Navy under Charles II., 30

Obituary, 208

Ode to Chester, 189

Palatinate Courts, indictments in,  
171

Pepys, extracts from his *Diary*,  
35—37

——, his character, 37, 38

Puppet Show explosion (1772), 183

Review, 213

Romano-British Churches, 147, 148

Rooms in house, *temp.* James I., 18

St. George, Guild and Chapel of,  
12, *etc.*

Saxon architecture, 145

Silchester, Romano-British church  
compared with early work in  
Chester Cathedral, 148, 151

Wills:—

Rowland Dutton (1604), 200

Henry Mannering (1610), 16







## INDEX OF NAMES.

When a name is found on two or more consecutive pages, the first of them only is indexed.

Names of places are in *Italics*.

- Aberdeen*, 188  
*Adlington*, 203  
Æthelfleda, 155, 162, 165  
Æthelred, 155, 157  
Aldersey, 133; Hugh, 134, 139;  
Ralph, 136, 139; Richard, 141;  
William, 17, 117, 119, 137, 141  
*Aldford*, 10  
Alfred, king, 143, 155, 157  
*Andover*, 178  
Anselm, St., 160  
Antrobus, George, 78; Gibbs Crawford, 106, 111  
*Apthorne Mill*, 105  
Arden, John, 112; Robert, 87  
Armerer, John le, 120  
Armitage, rev. William, 184  
*Arrowe*, 121  
Arthur, earl of Chester, 96  
Ashton, Thomas, 105  
Atherton, Margaret, 203; sir William, 203  
Augustine, St., 144, 147  
Aylesbury, sir Thomas, 32*n*  
Ayling, Albert, 169  
Ayrton, William, 149; Mrs. William, 140  
  
Bailey, Thomas, 167  
Ball, William, 117  
  
*Bamburgh*, 157  
*Bangor Cathedral*, 187  
*Bangor-on-Dee*, 40  
*Bardney*, 157  
*Barnhill*, 201  
Barnston, Elizabeth, 141  
Barrow, Robert, 132; Thomas, 133  
Batenham, 167  
Bath, earl of, 52  
Batten, sir William, 31, 35, 37;  
lady, 36  
Bavand, John, 14; Mr., 20;  
Richard, 13; Thomas, 13, 24  
Bayley, Richard, 195  
Beauchamp, W., 34  
Bebington, John, 128  
Beckett, William, 76  
Bede, Ven., 147  
*Bedwal*, 28, 40  
Belgrave, 203  
Belleyeter, Alexander, 129*n*; Gilbert, 128; Stephen, 129*n*  
Bellyn, Thomas, 135  
Berkeley, Elizabeth, 179  
*Bersham*, 54  
Bertha, queen, 147  
Bevan, Mary, 195  
Bickley, Ann, 47; sir Francis, 47  
Birchenshaw, John, 132

- Birkenhead, Ralph, 132; Thomas, 8  
 Black Prince, 103  
 Blayney, A., 170  
 Blundell, William, 42*n*  
 Boden, Edward, 66, 81, 87; James, 66, 81, 87; John, 81; William, 67, 88  
 Bolton, Nathaniel, 88  
 Bond, Francis, 145, 149, 153, 159, 165  
*Bonn*, 188  
 Bostock, 207  
 Bowden, Joseph, 81; Peter, 75; William, 81  
 Bradburn, William, 128  
*Bradford-on-Avon*, 145  
 Bradshaw, John, 41; monk, 153  
 Brailsford, 204; Ralph, 202  
 Brassey, Ernest, Herbert, John Evans, 194  
 Brereton, Richard, 7, 17  
 Brerewood, John, 43  
 Brewster, Richard,, 132  
 Bridge, John, 10; J. C., D.Mus., F.S.A., 189, 213; Richard, 5; William, 10  
*Bridge Trafford*, 13, 19, 24  
*Bridgnorth*, 129*n*, 131  
*Broad Oak*, 173  
 Brock, William, 24  
 Brocton, Robert, 120  
 Bromborough, Agnes, 124; William, 125, 127  
*Bromborough*, 174  
*Bronnington*, 173  
 Brookes, John, 77; sir Richard, 193  
 Brooks, John, 70, 87  
 Broster, John, Peter, 170  
 Broughton, Roger, 121  
*Broughton*, 121  
 Brown, Baldwin, prof., 145; Harry, 170; John, 87; W. E., 196  
 Browne, Matthew, 73  
 Browster, Adam, 124  
 Bruyn, Richard, 123, 129*n*, 131  
 Brunner, Mond, & Co., 187, 194  
 Brunner, sir John, 185  
 Bryn, Henry, John, 128  
*Bryngwyn*, 54  
*Budworth, Great*, 204  
 Burr, rev. Dr. Godfrey, 33*n*  
 Burt, A. R., 167  
*Burton, Denbighs.*, 19  
 Butler, Benjamin, 73; Joseph, 73, 76, 87  
 Byrom, G., 121, 125, 129, 133, 138  
  
 Cadwallon, 157  
 Caldecott, Randolph, 168  
 Calveley, James, 28  
 Camden, William, 34  
 Campbell, sir John, 110, 113  
*Canterbury*, 147, 152  
 Capenhurst, John, 127*n*  
 Carberry, earl of, 45*n*  
 Carbonel, John, 118  
 Carleton, Thomas, 124  
 Carter, Mr., 50*n*  
 Carteret, sir G., 37  
 Case, Thomas, 19  
 Cathrall, John, 88  
 Catt, Godfrey C., 33*n*  
 Chamberlain, Agnes, 123, 125*n*, 127; Edward, 125*n*, 127; John, 120, 123, 126; Robert, 123, 126  
 Charles I., 172  
 Charles II., 174  
*Chatham*, 28, 31, 35, 38, 42, 47  
*Chester* :—  
     Abbey, 118, 140, 143, *etc.*  
     Abbey Square, 171  
     Allen Buildings, 9  
     Bars, 175  
     Baxter Row, 130, *etc.*  
     Bolland's Court, 174, 177  
     Boughton, 15, 111, 191, 198

*Chester* (continued):—

Bridge Street, 5, 8, 83, 122, 174,  
177  
— — — Row, 193  
Bridgegate Street, 92  
Butter Shops, 118*n*  
Cæsar's Tower, 175  
Capelgate, 123  
Castle, 96, 102, 111, 115, 171, 175,  
198  
Castle Street, 8  
Chester House, 171  
Churches:—  
Cathedral, 136, 171  
Holy Trinity, 178, 182  
St. John's, 170  
St. Mary's Chantry, 175  
St. Michael's, 8, 174  
St. Peter's, 12, 15, 169, 182  
St. Olave's, 127*n*  
St. Oswald's, 126, 128  
St. Thomas' Chapel, 171  
Common Hall, 61, 184  
Commonhall Street, 183  
Croftes, 126  
Crook Lane, 171, 188  
Cross, 118, 131, 156  
Deanery, 171  
Dee Lane, 125*n*  
Dee Mills, 125*n*, 130*n*  
Earl's Eye, 135  
Eastgate, 117  
— Row North, 118  
— Street, 83, 92, 118, *etc.*  
Fleshmongers' Lane, 126  
Friary, 175  
Frodsham Street, 83  
Godstall Lane, 118, *etc.*  
Grosvenor Bridge, 169  
Groves, 168  
Grymesditches hay, 136  
Handbridge, 10, 44, 62, 83, 136

*Chester* (continued):—

Hawarden Castle Entry, 9  
Hugh Lane, 128  
Hunter Street, 167  
Hunter's Walk, 167  
Inns:—  
Albion, Black Dog, Black  
Horse, 83  
Boot, 119  
City Arms, Coach, 83  
Cross Keys, 83, 171  
Edgar Tavern, Green  
Dragon, Queen's Head,  
Rising Sun, Royal Oak,  
83  
King's School, 167  
Lamb Row, 8  
Leen Lane, 126, 129  
Matthew Henry's Chapel, 172,  
*etc.*  
Monks Lane, 171  
Music Hall, 171  
Newgate Street, 126  
Northgate, 92, 99, 103, 171  
— Prison, 43  
— Street, 83, 92, 187  
Parson's Lane, 171  
Pepper Street, 126, 167  
Puppet Show Entry, 183  
Queen Street, 170  
— — Chapel, 183  
Roodee, 44, 77, 135*n*  
St. Mary's Hill, 169  
St. Oswald, parish of, 139  
St. Ursula's Hospital, 184  
St. Werburgh Lane (or Street),  
118, 126, 131  
Shipgate Street, 83  
Town Hall, 116  
Trinity Lane (Street), 171, 184,  
196  
Vicar's Cross, 192  
Victoria Road, 190



*Chester* (continued):—

Watergate Street, 13, 17, 92  
 — — — Row, 183  
 Whitefriars (Lane), 174, 177, 192  
 Wool Hall, 171  
 Chidlaw, rev. John, 182, 196  
 Chirk, 41, 45  
 Cholmondeley, Thomas, 46  
 Christleton, 139  
 Churton, 10  
 Claverton, 44  
 Cleton, Mr., 20  
 Clowes, 167  
 Clyde, 144  
 Coddington, 10  
 Coke, sir John, 30  
 Cole, Thomas, 123  
 Colly, John, Richard, 122, 130;  
     Robert, 120, 122, 128, 130;  
     William, 24  
 Condovery, 48  
 Congleton, 112  
 Constantine, emperor, 143, 147  
 Cook, William, 173  
 Cooper, 47; Grace, 47  
 Corona, family, 204  
 Cotgreave, Ralph, 139; Randle,  
     138; William, 16, 139  
 Cotton, Dean, 171  
 Coulton, Margaret, William, 73  
 Coventry, Hugh, Margaret, 127  
*Coventry*, 162  
 Cowper, Thomas, 87  
 Crane, Thomas, 167; Walter, Wil-  
     liam, 168  
 Croke, Thomas, 132  
 Cropper, 192  
 Crowfoot, Ann, 27*n*  
 Culcheth, 205  
 Cuitt, George, 167  
 Dalbie, Thomas, 17  
 Danyel, Robert, 128

Davidson, 167  
 Davie, Roger, Timothy, 73  
 Davies, Benjamin, 88; Catharine,  
     40; Mary 44*n*; Peter, 45*n*;  
     Richard, 40  
 Davison, Elizabeth, 136  
 Dean, John, 112, 169  
 Deane, Timothy, 10  
 Delacour, —, 167  
*Delamere Forest*, 27, 42*n*  
 Delves, Grace, sir Henry, 50  
 Denman, lord, 111  
 Denson, William, 133  
*Deptford*, 29, 31, 39, 49  
 Derby, earl of, 205  
 Derby, Robert, Thomas, 123  
 Digby, sir Kenelm, 31  
 Dimock, Humphrey, 41  
 Dod, William, 139  
 Dodd, Ann, Edward, 15; William,  
     138  
*Doddington*, 50  
 Done, Henry, 122; Randal, 135*n*  
 Donne, Ralph, Richard, 122;  
     Thomas, 120, 122  
 Doolittle, Mr., 173  
 Douglas, John, 169  
*Dover*, 152  
 Downham, bishop, 14  
 Downing, Joshua, 42, 47*n*; Martha,  
     42, 47  
*Dublin*, 155  
 Dun, William, 122  
 Duncannon, lord, 107, 110  
 Dunn, William, 134  
 Dutton, 197, 204; Alice, Anne,  
     Bridget, 199; Cicely, 15; Ed-  
     ward, 17, 206; Foulk, 15; H. B.,  
     166, 169; Hugh, 141; John, 17;  
     sir Piers, 198, 206; Ralph, 199;  
     Richard, 137; Rowland, 199,  
     202, 206; sir Thomas, 198  
*Dutton*, 197  
 Dytton, Roger, 128



- Eanfrith, 157  
*Earl's Barton*, 145  
 Earwaker, J. P., 7, 209  
 Eaton, George, 95, 98, 107  
*Eaton*, 43, 170  
*Eccleston*, 17, 45, 136  
*Eddisbury*, 27  
*Edinburgh*, 170  
 Edisbury, Elizabeth, 28; Francis, 43, 47; Grace, 49; J. F., Esq., 27*n*, 46*n*, 53; James, 28, 54; Jane, 32*n*; John, 39, 45, 51; Joshua, 47, 49, 53; Kenrick, 26, *etc.*; Martha, 42, 54; Mary, 54; Richard, 29, 39, 47, 49; Robert, 28; Robert Wilkinson, 33; William, 27  
 Edward (son of Alfred), 155  
 Edward I., 95, 103  
 Edward III., 92  
 Edwards, Mr., 16  
 Egerton, John, 193  
 Elfleda, 143  
*Ellesmere*, 46*n*  
*Ely*, 154, 157  
*Emeral*, 172  
 Erbistoke, Salisbury de, 27, 34, 47  
*Erddig (Erthig)*, 27, 40, 43, 48, 54  
 Ereby, sir Fulo de, 127  
 Erneys, John, 122, 127; Richard, 121, 128; Robert, 121; Roger, 120  
 Ethelbert, king, 147  
 Ethelred, 143  
 Eyton, sir Gerard, John, sir Robert, 40  
  
 Fieldy, —, 198  
 Finch, W. C., 33*n*  
 Fleming, Mr., 29  
 Fletcher, J., 193; Richard, 133  
 Flynt, Margaret, 17; William, 129  
  
 Fogg, dean, 180  
 Follett, sir William, 113  
 Fouleshurst, Richard, 124; Thomas, 125*n*  
 Frost, John Meadows, 63, 166, 194; Thomas Gibbons, Mr., 194; sir Thomas Gibbons, 186, 189; lady, 194  
 Furb's, Henry, 131  
  
 Gamull, sir Francis, 42*n*; Sidney, 44  
 Gardner, John, 182  
 Garside, James, 106, 110  
 Gatty, C. T., 44  
 Gerrard, Gilbert, 88; Richard Gilbert, Stanley, 63, 89; William, 89  
 Gibson, John, 88; William, 81, 88  
 Gill, Charles, William, 88  
*Gloucester*, 157  
 Goddard, Henry, 31  
 Godman, Richard, 130, 133  
 Goff, Thomas, 88  
 Golborne, Robert, 133  
*Golborne Belleau*, 205  
*Golborne David*, 205  
 Goodaker, Robert, 78  
*Grange*, 179  
 Gray, Alban, 73  
 Gregge, Edward, 6  
 Gregory, pope, 147, 150  
*Gresford*, 48  
*Groft-y-Castell*, 48  
 Grosvenor, Anne, 45*n*; Arthur, lord, 166; Christian, 42*n*, 45*n*; family, 203; rev. Francis, 162; John, 45*n*; lord, 112; Mary, 43; sir Richard, 42, 133; sir Robert, 45*n*, 179; Roger, 42; Sydney, 45*n*; sir Thomas, 45*n*, 176  
*Guilden Sutton*, 17  
*Gwernhaulod*, 54

Hackney, 178  
 Hadde, William, 120  
*Hafod-y-bwch, Denbighs.*, 42  
 Hall, Ralph, 173  
*Hanbury, Staffs.*, 154  
 Hankey, Lee, 168  
 Hankins, sir John, lady Margaret, 39<sup>n</sup>  
*Hanly*, 73  
 Harding (*see* Peters)  
*Harding, Beds.*, 39<sup>n</sup>  
 Hardware, Henry, Katherine, 174, 179; Samuel, 179  
*Hargrave*, 194  
 Harling, W. O., 167  
 Harper, Alice, 126; Anthony, 139; Roger, 126  
 Harrison, 169; George, 192; John, 123  
*Hartford*, 187  
 Harvey, Edward, 86; George, 86, 89; John, 173, 177; Jonathan, 177; Robert, 87; Thomas, 66, 73, 86, 89; William, 65  
 Harw, John, 120  
*Haselwood, Yorks.*, 13, 22  
 Haswell, F. T., 169  
 Hatton, sir Christopher, 199; John, 129<sup>n</sup>; Ralph, 123, 128; Richard, 123  
*Hatton*, 197  
*Haydock*, 204<sup>n</sup>  
 Hayes, Thomas, 88  
 Heath, William, 128  
*Hefenfeld*, 157  
 Helena, St., 143  
 Henry III., 96  
 Henry VII., 96, 103  
 Henry, John, 172; Matthew, 172, *etc.*; Phillip, 172, 179  
 Henthorn, Mr., 173  
 Heron, Peter Kyffen, 112  
*Hexham*, 157

Hockenhull, Richard, 130, 132, 135  
 Hodgkinson, 169  
 Holland, Mr., 182  
 Holme, Ann, 57; Elizabeth, 8; Margaret, 5, 7; Ralph, 6, 8; Randle, 5, 11, 34<sup>n</sup>, 58, 79; Richard, 9; Thomas, 7  
*Hollywood*, 191  
*Hoole*, 117  
 Hope, John, 29, 124; Robert, 125<sup>n</sup>  
*Hope, Flints.*, 9  
*Hordley, Salop*, 48  
*Horsemonger Lane Gaol*, 113  
 Horton, family, 141  
 Houghton, Gilbert, 42<sup>n</sup>; Lettice, 42  
*Houghton Tower*, 42<sup>n</sup>, 48  
 Howel, ap, 28  
 Howson, very rev. Saul, 169  
 Huggins, William, 168  
 Hugh Lupus, 142, 150, 154, 160, 171  
 Hughes, John, 81, 88; Thomas, 166, 169  
 Hulfield, Roger, 121; William, 120  
 Hulton, Mr., 182  
 Humble, Miss, 192  
 Humfrey, William, 126, 132  
 Hunter, 167  
 Hurleston, Hugh, 23; Richard, 20, 23<sup>n</sup>  
*Hurleston, Lancs.*, 23, 42  
 Hurrell, Thomas, 120  
  
 Ince, Randall, 18  
*Iona*, 157  
  
 Jackson, Thomas, 7  
 James II., 174  
 Jeffreys, John, 41; Mr., 48<sup>n</sup>  
 Jervis, John, M.P., 107, 110, 112  
 Johnson, Bryan, 186, 194; George, 62, 89; John, 89; Thomas Arthur, 187, 194; Uter, 19; William, 89

- Joinson, Jonathan, 62, 83, 89;  
     Joseph, 68, 89  
 Jones, Anne, 43; D. B., 171;  
     E. Alfred, 195; Eleanor, 47;  
     Inigo, 50*n*; John, 81, 88, 121,  
     125, 129, 133, 138; Owen, 67, 79,  
     81; Richard, 43; Thomas, 47;  
     William, 167, 170  
 Jordan, Hugh, 65  
  
 Kelsall, Samuel, 7  
 Knight, 144; William, 138  
 Kyffyn, rev. Mr., 41; William, 41  
 Kynaston, family, 54; Mr., 48  
  
 Lancelot, William, 29  
 Landseer, sir E., 168  
 Lawson, Philip H., 129, 133*n*, 134*n*,  
     137*n*, 139  
 Le Neve, William, 34  
 Ledsham, John, 87  
 Leen, Hugh, 129  
 Leggesley, William, 122  
 Legh family, 203  
*Leicester*, 177  
 Leigh, Richard, 138  
 Leiving, sir Richard, 175  
 Leofric, earl, 149, 160, 162, 165  
 Lethaby, 152  
 Lewis, Edward, 89; Robert, 68, 88;  
     William, 89  
*Lichfield*, 162  
*Lindisfarne*, 157  
 Linet, Peter, 88  
 Lingley, John, 6  
 Liosford (?), Thomas, 138  
*Liverpool*, 168  
*Llanarmon*, 8  
*Llanfair Dyffryn Clwyd*, 43  
*Llanfyllin*, 41  
*Llangollen*, 41*n*  
 Lloyd, family, 29; Griffith, 8; Mr.,  
     111; sir Horatio, 115; Martha,  
     54  
 Lockier, Edward, 31  
 Lockwood, 169  
*London*:—  
     Holborn (St. Andrew's), 29  
     Limehouse, 42  
     Newgate, 110  
     St. Lawrence Lane, 20  
 Lowe, 193  
*Lyminge*, 152  
  
 McAlester, rev. C. J., Mary, 191  
 Macdonald, rev. Simon Frederick,  
     188  
 Maddocks, John, 41*n*  
 Maddocks, Robert, 37  
 Madewell, William, 119  
 Madocke Voel, Ll. ap, 28  
 Mainwaring, alderman, 176; Alice,  
     25; Ann, 15; Cicely, 15;  
     Daniel, 15, 17; Elizabeth, Ellen,  
     15; Henry, 12, 15, 25; Hum-  
     phrey, sir John, 14; Margaret,  
     15; Mary, 15, 17; Nicholas, 14,  
     18; Randle, 14, 19; Roger, 16;  
     (sir) Thomas, 14, 42*n*  
 Malmesbury, William of, 154  
*Man, Isle of*, 203  
 Marchall, Robert, 120, 122, 128  
*Marchwiel*, 27, 40  
 Markes, Thomas, 78  
 Martineau, Dr., 185  
 Massey, Alice, William, 25  
 Matthews, Daniel, 173  
*Mear, Staffs.*, 174  
 Melbourne, viscount, 95, 98, 102, 105  
 Mellitus, bishop, 147  
 Mellor, John, 51  
 Meoles, Thomas, 24  
 Mercer, Hugh, 123, 129; Margaret,  
     129  
 Meredith, John, 80, 87, 89  
 Meules, Geoffrey, 129  
 Millar, colonel, 40



*Minera*, 81  
 Minnes, sir W., 37  
 Monk, John, 193; William, 169  
 Monmouth, duke of, 52, 173  
 Montgomery, rev. John Knowles, 185, 190; Mary, 191; Mary Katharine, 187  
 Moore, William, 130, 133  
 Moreland, Miss, Thomas, 187  
 Morgell, John, 17  
 Morris, rev. canon, 125, 208  
 Moseley, Joseph, 106, 110  
 Mostyn, family, 141; William, 122, 125, 129, 133, 138  
 Moulson, 11, 192; Sarah, 192; (sir) Thomas, 192, 194  
 Murray, Robert, 177  
 Musgrove, John, 166, 169  
 Myddelton, Christian, 45, 47; sir Thomas, 41, 95; W. M., 41*n*  
 Mynshull, 42*n*  
 Mytton, general, 40  
  
 Naftel, Paul J., 167  
 Nantwich, 14, 16, 171, 178  
 —, *Beam Street, Cheyney Hall*, 16  
 —, *Sweetbriar Hall*, 178  
*Nerquis*, 54  
*Neston*, 143  
 Newall, Dr., 177  
*Newton*, 14*n*  
 Nicholas, secretary, 29, 32, 39  
 Nicholls, Frederick, Thomas, William, 194  
 Nield, Joseph, Peter, 88  
 Norris, sir William, 131, 135, 139  
*Norton Priory*, 193  
 Nuthurst, family, 203, 205  
  
 O'Connell, Daniel, M.P., 114  
 Olton, alderman, 176  
 Oman, Charles, 155

Orden, Joseph, 87; Robert, 65  
 Orme, Edward, 167  
 Oswald, St., 156  
*Oswestry*, 41, 157  
 Oswin, 157  
 Otes of Worthynton, 123  
*Oulton*, 193, 199  
 Owen, Mr., 48; Edward, Mostyn, 54  
  
 Padmore, 206  
 Paganini, 168  
 Palmer, Mr., 53*n*  
 Park, baron, 106, 110  
 Parker, 143, 163  
 Parnell, Thomas, 43  
 Pecke, Mr., 41*n*  
 Peel, Home Secretary, 94  
 Pemberton, John, 77, 87  
 Penda, 157  
 Penson, 169  
*Pentreclawdd*, 29, 40, 52  
*Peover*, 14, 42*n*  
 Pepys, Samuel, 26, 32, 35  
 Percivall, 70  
*Peterborough*, 157  
 Peters, Edward, 33; Mary, 33, 39  
 Pett, commander, 31, 36  
 Phillips, family, 54; S. M., 98, 105  
 Philpot, John, 34  
 Picton, 17*n*  
*Picton*, 33*n*  
 Piggott, 174  
 Pixley, William, 138  
*Plas Newydd*, 43  
*Plas-Oddiar-y-Clawdd*, 47  
 Platt, Peter, 73  
 Platts, C., 154, 157  
*Plemstall*, 23*n*, 25  
*Plymouth*, 50  
 Pollock, sir Frederick, 111, 113  
 Poole, Ralph, 130, 134; William, 130*n*



- Portsmouth*, 30, 35  
 Potter, Roger, 122  
 Powell, Robert, 29  
 Poyntz, Juliana, William, 206  
 Preston, John, 120, 122, 128  
 Price, 76; Charles, 89; Edward, 86;  
     Samuel, 73, 87  
 Proby, Peter, 16  
*Puddington*, 25  
 Puleston, judge, 172  
 Pulford, family, 203; Joan, 203  
 Pye, sir Walter, 24  
  
 Ratcliffe, John, 77  
 Rathbone, John, Richard, 135*n*;  
     William, 135  
 Rayner, Miss, 168  
*Reculver*, 152  
*Repton*, 154  
 Rickman, Mr., 144  
 Ridgway, Joseph, 95, 98, 107  
 Ridley, Robert, 78  
 Rimmer, Alfred, 168  
 Ripley, Simon, abbot, 159  
*Ripon*, 157  
 Rishall, 205  
 Robert, Kenrick ap, 28  
 Roberts, rev. Henry David, 176,  
     191; Hugh, 42, 47; John, 73;  
     major, 43  
*Rochdale*, 189  
*Rochelan* (?), 123  
*Rome*, 149  
 Roose, William, 170  
 Rort, John, 6  
 Royden, Roger, 19, 24  
 Roydon, Joseph, 73  
 Royle, John, 89  
*Ruabon*, 29, 42, 46  
*Rushall*, 205  
 Russell, Daniel, 119; Henry, 119,  
     123; Richard, 119, 124; sir  
     William, 32*n*  
  
 Rutter, John, Robert, 73  
 Ryddehall, 205  
 Rylands, J. Paul, F.S.A., 207  
  
 Salisbury, 39*n*  
 Salmon, 37  
*Sarn Helen*, 143  
 Scott, rev. canon, 171; sir Gilbert,  
     142, 154, 162  
 Scriven, Eleanor, 202  
 Sentley (*see* SONTLEY)  
 Shaw, John, Lawrence, 73  
 Shipbroke, family, 198  
 Shone, John, 80, 88  
*Silchester*, 148, 151  
 Simpson, Frank, F.S.A., 166, 170,  
     180; John, Thomas, 88  
 Singer, John, Peter, 120  
 Skipworth, Elizabeth, 15  
 Smith, Edward, 75; Thomas, 133  
 Snead (Sneyd), Ellen, 9; Richard,  
     9, 14, 18; William, 136  
*Soissons*, 158  
 Sontley, Jane, 27  
*Sontley*, 40  
*Soughton-upon-the-Hill*, 73  
 Spicer, Richard, 118, 124  
 Spurstow, George, 199  
 Stanford, Robert, 17  
 Stanley, John, Margaret, 199; sir  
     Thomas, 176; William, 199  
 Stanmer, William, 126  
 Starkey, alderman, 176  
 Statham, Hannah, 195  
*Stayley*, 105  
 Stevenson, James A., 169  
*Stockport Moor*, 112  
 Stokes, John, 123  
*Stow, Lincs.*, 163  
 Strange, 206

Stratford, Nicholas, bishop, 180  
 Street, alderman, 177  
*Stryt-yr-Huch*, 27, 40  
 Stubbs, John, 87  
 Stukeley, Dr., 144  
 Sumner, 167  
 Syere, Thomas, 18

Tasker, W. W., William, 166  
 Taylor, Henry, F.S.A., 12, 166  
 Tewkesbury, William, 122  
 Theodosius, 144  
 Thomas, John, 89; Robert, 73  
 Thomason, Edward, 16  
 Thorley, Samuel, 112  
 Tomson, Edward, 136  
 Townshend, E. J., 193; Henry, 200;  
     sir Robert, 206  
 Trafford, Thomas, 19; William, 13,  
     24  
*Trentham*, 154  
 Trinder, Mr., 176  
 Trubshaw, Mr., 169  
 Turner, Mrs., 37  
*Tyne*, 144

*Vale Royal*, 46  
 Vavasour, John, 13, 21; sir Wil-  
     liam, 13*n*  
 Venables, Richard, 87  
 Vernon, family, 198; Petronilla,  
     207; Ralph, 202; alderman W.,  
     166, 170

Wall, Elizabeth, 133; Robert, 133,  
     137; William, 134  
*Wallasey*, 174  
 Walley, John, 14, 77  
 Walpole, 144  
 Walton, John, William, 73  
 Warburton, Elizabeth, Mary, Philip,  
     Robert, 179

Ward, John, 151  
*Waverton*, 197, 199  
 Wayth, Mr., 36  
 Webb, William, 197  
*Weedon*, 154  
 Welands, Mr., 177  
 Werburgh, St., 154, 158  
*Werneth*, 105  
 Westminster, marquis of, 114, 169;  
     duke of, 115, 209  
*Westminster*, 163, 165  
 — *School*, 172  
 Weyne, W., 130  
*Whitchurch*, 73, 168, 173  
*Whitehall*, 172  
 Whitmore, John, 124  
 Wickstead, rev. Charles, 185  
*Wight, Isle of*, 170  
 Wilbraham, George, M.P., 114;  
     Peter, Tom, 42*n*  
 Wilkinson (*see* EDISBURY)  
 Williams, Hugh, 41*n*, 144; Mar-  
     garet, 17; Morris, 16; T. A.,  
     207; William, 89  
 Williamson, Richard, 125, 129, 133,  
     138  
*Willington Cross*, 173  
 Wilson, alderman, 176; Tom, 37  
 Wimperis, E. M., 168  
*Wincham*, 193  
*Winwick*, 182  
 Wirrall, Richard, 133  
 Witter, 11  
 Wood, Albert, Henry, 194; Thomas,  
     88; Swinford, 194  
*Woodhey*, 42*n*  
*Woodhouse, Salop*, 54  
 Woods, William, 88  
 Woodward, John, 87, 89  
 Woodworth, John, 87  
 Wordsworth, John, 80  
*Worthenbury*, 172

Worthynton, Agnes of, Otes of, 123

*Wrexham*, 29, 40, 46, 50

Wright, Richard, 18

Wryne, Ralph, 13, 20

Wulphere, 154

Wynn (*see* JONES)

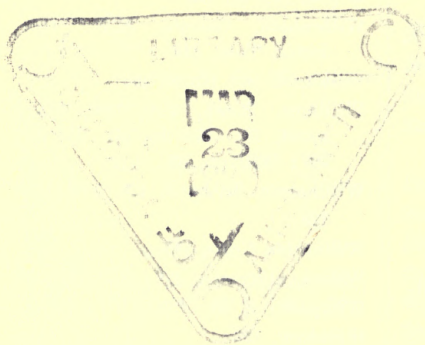
Yale, Elihu, 51*n*

Yates, John, 87; Thomas, 65, 87

York, James, duke of, 36, 52

*York*, 22, 155

Yorke, Philip, 48*n*









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